URBAN/MUNICIPAL
CA 4 ON HBL AOS
M21
1994

Minutes Of The Hamilton City Council

May 10, 1994-

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Minutes of Hamilton City Council
Tuesday, 1994 May 10
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Acting Mayor Vince Agro
Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Mayor R. Morrow - Civic business

Acting Mayor V. J. Agro called the meeting to order.

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The Council meeting commenced with the playing of the National Anthem.

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Father Marijan Mihokovic, Holy Cross Church (Croation) led Council in the Lords Prayer: -

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PROCLAMATIONS & RECOGNITION

Acting Mayor V. Agro proclaimed the following:

(a) Access Awareness Week - May 30 to June 4, 1994.
(b) Catholic Women's League Week - May 8 to May 14, 1994.

Acting Mayor V. Agro recognized Munro Metal Products for 70 years of continuous business in the City of Hamilton.

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ADOPTION OF MINUTES

The minutes of the regular meeting held 1994 April 26 and the special meeting held 1994 May 3 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 April 28 from Barton Retirement Inc., Oakville, Ontario for a further modification to the established "DE-3" (Multiple Dwellings) District regulations for lands located at No. 1430 Upper Wellington Street, Hamilton, Ontario.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT

Section 43 Re: Closure of Ferguson Avenue North for a Street Market

It was moved by Alderman McCulloch and seconded by Alderman Drury that Section 43 of the Eighth Report of the Transport and Environment Committee for 1994 be amended by adding the following as subsection (i):

(i) That the Street Market comply with the provisions of the Licencing By-law.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Merling. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT

Section 12 Re: Commercial Loan to John and Helen Mouskos

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 12 of the Eighth Report of the Planning and Development Committee for 1994 be referred back.

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Section 13 Re: Ad Hoc Sub-Committee - Hamilton Harbour Commissioners

It was moved by Alderman Drury and seconded by Alderman Ross that Section 13 of the Eighth Report of the Planning and Development Committee for 1994 be amended by adding the words "of land use" after the words "deal with matters".

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 16 Re: Furniture - Fire Station 4, Macassa Park

It was moved by Alderman Jackson and seconded by Alderman Drury that Section 16 of the Eighth Report of the Finance and Administration Committee for 1994 be referred back for further review.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Cooke, Agostino, Eisenberger, Charters. -4.

CARRIED.

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Section 21 Re: Introduction of Bills

It was moved by Alderman Ross and seconded by Alderman Anderson that the following Bill be added as Sub-section (d) of Section 21 of the Eighth Report for 1994 of the Finance and Administration Committee:

21. (d) D-19 A By-law respecting the Downtown Hamilton Business Improvement Area.

CARRIED.

ACTING MAYOR FOR THE MONTH OF JUNE, 1994

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman Wm. McCulloch be appointed Acting Mayor for the month of June, 1994.

CARRIED.

RESOLUTIONS

It was moved by Alderman Jackson and seconded by Alderman Charters that permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Scottish Festival - Fundraising Golf Tournament to be held at Chedoke Golf Course on 1994 May 26.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1 **CARRIED.**

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It was moved by Alderman Jackson and seconded by Alderman Charters that a purchase order be issued to Credit River Garden Centre Inc., Mississauga, in the amount of $70,486.25 for the supply and placement of sod on the five (5) new baseball diamonds at Turner Park, being the lowest of nine (9) tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and to be financed through Work Done For Others Account No. CH56398 62910 and subsequently charged to the Capital Funds Account Baseball Facilities Development CF5010 629254004. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-28, A-29, A-30, A-31, A-32.
C-22, C-23.
D-16, D-17, D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman D'Amico in the chair. (second reading).

A-28, A-29, A-30, A-31, A-32.
C-22, C-23.
D-16, D-17, D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted:

A-28, A-29, A-30, A-31, A-32.
C-22, C-23.
D-16, D-17, D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-28, A-29, A-30, A-31, A-32.
C-22, C-23.
D-16, D-17, D-18, D-19.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:45 o'clock p.m.

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Taken as read and approved.

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Acting Mayor V. Agro

J. J. Schatz, City Clerk
1994 May 10

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1994 and respectfully recommends:

1. (a) That the existing "Alternate Side Parking" regulation on London Street South between Montclair Avenue and King Street East be replaced with a "Permit Parking" regulation on the west side and a "No Parking" regulation on the east side; and

   (b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit per residence to each of the first three eligible applicants residing in Nos. 138, 146 and 150 London Street South and the remaining parking permits to abutting residents on a first come first served basis to a maximum of five parking permits; and

   (c) That the City Traffic By-law 89-72 be amended accordingly.

2. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Biggar Avenue which commences at a point 457 feet east of Sherman Avenue and extends to a point 293 feet west of Lottridge Street be shortened such that the regulation commences 457 feet east of Sherman Avenue and extends to a point 480 feet easterly therefrom; and

   (b) That the City Traffic By-law 89-72 be amended accordingly.

3. (a) That the existing "Permit Parking" regulation on the north side of Foster Street commencing at a point 180 feet west of Ferguson Avenue South and extending to a point 25 feet westerly therefrom be removed; and

   (b) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the north side of Jackson Street East commencing at a point 201 feet east of Ferguson Avenue South and extending to a point 20 feet easterly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Arthur S. Hill, No. 203 Jackson Street East; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 554 feet south of Barton Street East and extending to a point 21 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to June Furler, No. 287 Paling Avenue; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

6. (a) That a "No Parking" regulation be implemented on the north and east sides of Vola Court commencing 128 feet west of Upper Wellington Street and extending to a point 108 feet northwesterly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

7. (a) That a "Permit Parking" regulation be implemented on the south side of Burton Street commencing at Cheever Street and extending to a point 267 feet easterly therefrom; and

(b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first eleven eligible applicants residing on the south side of Burton Street between Cheever and No. 162 Burton Street; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

8. That the Director of Traffic Services be authorized to issue a time limit exemption permit to Mr. Mariusz Zdanowski, No. 1002 - 150 Market Street.

9. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 3rd Street between Richwill Road and South Bend Road West; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

10. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m. Monday to Saturday" regulation on both sides of Arthur Avenue North between King Street East and Wilson Street be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

11. (a) That a "No Parking, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of West 35th Street between Bendamere Avenue and Leslie Avenue; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

12. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Carrick Avenue commencing at King Street East and extending to a point 138 feet southerly therefrom and on the west side commencing at King Street East and extending to a point 127 feet southerly therefrom, be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

13. (a) That a "Permit Parking" regulation be implemented on the west side of Caroline Street South commencing at a point 126 feet south of Bold Street and extending to a point 18 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Peter Kavouras, 154 Caroline Street South; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

14. (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 66 feet south of Wright Avenue and extending to a point 18 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Judy Simpkins, 75 Leeming Street; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

15. (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 11:00 p.m, seven days a week" regulation be implemented on the north side of Vickers Road commencing at a point 86 feet west of Upper Wentworth Street and extending to a point 30 feet westerly therefrom; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

16. (a) That a "Permit Parking" regulation be implemented on the south side of McAnulty Boulevard commencing at a point 38 feet east of the east curb line of Benson Avenue and extending to a point 25 feet easterly therefrom, and on the north side commencing at a point 95 feet east of Benson Avenue and extending to a point 23 feet easterly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Roy Blore, No. 164 McAnulty Boulevard; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

17. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Ferguson Avenue North between Kelly Street and Wilson Street; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

18. (a) That the existing "One Hour Parking Time Limit, 9:00 a.m. to 2:00 p.m., Monday to Friday" regulation on both sides of Green Meadow Road between Everton Avenue and Queensdale Avenue East, be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

19. (a) That a "No Parking 11:00 a.m. - 3:00 p.m., 3rd Tuesday of each month April to November" regulation be implemented on the east side of Tisdale Street South between Main and King Streets; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

20. That the Director of Traffic Services be authorized to issue upon request one time limit exemption permit to each of the first six eligible applicants residing in the condominium complexes at 836 to 840 Concession Street, on a first come first serve basis.

21. (a) That the existing "Permit Parking" regulation on the west side of Strathearne Avenue commencing at a point 183 feet south of the north end of the street and extending to a point 28 feet southerly therefrom, be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

22. (a) That eastbound traffic on Harold Street be required to stop for northbound and southbound traffic on Lower Horning Road; and

(b) That the City Traffic By-law 89-72 be amending accordingly.

23. (a) That the following submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

" DICENZO GARDENS - PHASE 4 ", Hamilton

City's Share Nil Owner's Share - $ 40,567.

i. That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of DiCenzo Gardens - Phase 4, Hamilton as well as and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,

ii. That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

iii. That in the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.

(b) That the following submitted schedule of works be adopted for inclusion in the Modified Subdivision Agreement with the Owners for the estimated costs of services in:

" SEVERANCE APPLICATIONS H-89-93 TO H-93-93 ", Hamilton
City's Share $1,265. Owner's Share - $37,786.

i. That the Finance and Administration Committee recommend the method of financing the City's Share; and,

ii. That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owners of Severance Applications H-89-93 to H-93-93, Hamilton as well as and any other related documents for this development subject to the approval of the City Solicitor.

24. (a) That the following City lands be incorporated into the street in order to complete the final street width or to provide access to newly registered subdivision developments:

Appleblossom Drive	Parts 5 & 6	Plan 62R-11052
Appleblossom Drive	Parts 4 & 5	Plan 62R-12104
Appleblossom Drive	Block 31	Plan 62M-710
Appleblossom Drive	Block 13	Plan 62M-751
Brigadoon Drive	Block 32	Plan 62M-710

(b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

25. (a) That an Offer to Purchase, duly executed by the Purchasers, William P. Curtis and Elizabeth F. Curtis, on 1994 April 11 and scheduled to close on or before 1994 September 9, for the lands composed of Lot 11, Registered Plan 458 (Aberdeen Survey), shown as Parts 1, 2, 3 and 4 on Plan 62R-12948, having a frontage of 28.499 metres (93.50 feet) more or less, along the north side of Aberdeen Avenue, comprising an area of 433.88 square metres (4,670.43 square feet) more or less, known municipally as 596 Aberdeen Avenue, Hamilton, be approved and completed

and the funds derived from this sale of $10,000. be credited to Account No. CH4X501 00102 (Sale of Property - Reserve for Property Purchases); and,

(b) That Part 4 on Plan 62R-12948 will be subject to a sewer easement in favour of the Regional Municipality of Hamilton-Wentworth; and,

(c) That the required deposit in the amount of $1,000. be held by the City Treasurer pending City Council approval; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

26. That the City Solicitor be authorized to amend Noise Control By-law No. 79-292 to incorporate the Provincial Standard on air conditioning devices NPC-216.

27. That a purchase order be issued to Connon Nurseries Neil Vanderkruk Holdings Inc., Dundas, in the amount of $111,892.24 including all applicable taxes, being the lowest complete quotation of nine received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through various Tree Planting Accounts.

28. That a purchase order be issued to Jannell Mechanical Consultants Limited, 300 Lake Avenue North, Hamilton, in the amount of $77,152.35 (includes $6,205.29 G.S.T.) for the HVAC Retrofit/Modification to the Traffic Operations Centre, 1375 Upper Ottawa Street, Hamilton.

29. (a) That the proposed alterations to the roadway, sidewalks and curbs between 110 and 118 Dana Drive and 108 and 112 Norrie Avenue as outlined on Appendix "A" attached hereto dated 1994 April 27, be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990 and the necessary alteration By-Law be prepared by the City Solicitor and advertised by the City Clerk; and,

(b) That the Director of Public Works be authorized to construct these works once all the necessary approvals are received; and,

(c) That the cost of the work estimated at $13,000. be financed from Account CH5X30300102 Reserve for Property Purchases; and,

30. (a) That the evening rush hour stopping prohibition on the east side of John Street between Barton Street and Murray Street be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

31. (a) That Pedestrian Priority Signals be installed at the intersections of Cannon Street East at Balmoral Avenue North and James Street North at Simcoe Street; and

(b) That following a suitable introductory period the School Crossing Guards be removed from the intersections of Cannon Street East at Balmoral Avenue North and James Street North at Simcoe Street; and

(c) That the southbound bus stop at James Street North and Simcoe Street be relocated 40 feet northerly; and

(d) That City Traffic By-Law 89-72 be amended accordingly.

32. That the contract position of Traffic Operations Technologist, Schedule E-14, as presently established in the City of Hamilton Traffic Department, be extended for a duration of 24 months.

33. (a) That the information signing on King Street West be improved by the installation of two cantilever signs in the area west of Macklin Street, at an estimated cost not to exceed $7,000. to be borne by the Regional Municipality of Hamilton-Wentworth; and,

(b) That appropriate changes be made to the existing signs to clarify directions to Highway No. 2 and Highway No. 8 - Main Street and "Westdale Village" -King Street respectively; and,

(c) That no physical change be made to the traffic island/sidewalk on the north and south sides of King Street in the area between Marion Avenue and Paisley Avenue but rather that the present appearance be preserved and that pedestrian access to the islands be precluded by us of plant material/landscaping and that the Ward Aldermen, Westdale B.I.A. representatives, Director of Public Works and other City Staff meet to discuss the upgrades and report back to the Committee on the issue; and,

(d) That the "No Stopping" 4:00 p.m. to 6:00 p.m., Monday to Friday" regulation on the north side of King Street West between Sterling Street and Forsyth Avenue be removed and that staff report back to the Committee on the implications of this action in six months time.

34. (a) That the reconstruction of the roadway, sidewalks and curbs on Dunsmure Road between Gage Avenue and King Street be included in the 1994 Reconstruction Program, and;

(b) That the Senior Director of Roads be authorized and directed to construct these works on behalf of the City, once all the necessary approvals have been received.

35. (a) That the estimated costs in the following local improvement projects be increased:

i. The alley between Fairfield Avenue North and Paling Avenue North from Britannia Avenue to the north limit of 255 Paling Avenue North (north-south alley). Increase in the approved City Share from $8,924 to $33,924.

ii. The alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west alley). Increase in the approved City Share from $25,175 to $35,175.

(b) That the Finance and Administration Committee be requested to recommend a source of funds for these increased costs.

36. That the painting of a mural on the stairway abutment on James Street South by the Native Indian/Inuit Photographers' Association (N.I.P.A) be approved subject to the following conditions:

(a) That N.I.P.A. provide evidence of $2 million Comprehensive General Liability Insurance; and,

(b) That N.I.P.A. provide a Certificate of Insurance evidencing the City of Hamilton's insurance requirements and that the said Certificate of Insurance provide the Corporation of the City of Hamilton as a named insured and that the policy is subject to cross liability and severability provisions; and,

(c) That the final design for the mural be submitted to the Parks and Recreation Committee and Arts Advisory Sub-Committee for endorsement; and,

(d) That the ongoing maintenance of the mural be the responsibility of N.I.P.A. as agreed to by the Association in the proposal; and,

(e) That N.I.P.A. work with staff from the Public Works Department to ensure that the method of fastening the mural to the stairway abutment is satisfactory to the Director of Public Works.

37. (a) That the Director of Property be directed to negotiate with Mr. and Mrs. C. Skypas, for the acquisition of two (2) parcels of land in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, geographic Township of Barton, being part of Lot 13, Concession 7, having first, Parcel A, a width of 20.0 metres (65.61 feet) more or less, along the current westerly limit of the north extension of Colin Crescent, by a length of 33.772 metres (110.80 feet) more or less, and comprising a total area of 675.44 square metres (7,270.61 square feet) more or less, and secondly, Parcel B, being a portion of the same Lot 13, Concession 7, having a width of 10.0 metres (32.80 feet) more or less, along the current westerly limit of the southerly extension of Colin Crescent, by a length of 29.784 metres (97.72 feet) more or less, and comprising a total area of 297.84 square metres (3,206.03 square feet) more or less, for the purposes of providing future road access to the interior lands of the Jerome Neighbourhood. The necessary expenditures are to be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands); and,

(b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1994 June 15, the City Clerk be authorized and directed to:

i. Give Notice of the City's Application as expropriating authority to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land; and,

ii. Advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and,

iii. Sign and receive the said Application for Approval to Expropriate.

(c) That the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value; and,

(d) That the Regional Surveyor be authorized and directed to prepare the necessary survey; and,

(e) That all related costs of the acquisition and expropriation be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands).

38. That permission be granted to the Region to remove four (4) trees on City property on Iona Avenue, from west of Yarmouth Court easterly to the end of the street (2 trees), and on land just east of Iona Avenue (2 trees) in connection with the proposed Iona sanitary trunk sewer.

39. (a) That the Regional Municipality of Hamilton-Wentworth and its agents or contractors, be permitted to install and maintain bicycle racks upon the road allowances of City of Hamilton streets, subject to the following criteria:

i. the Region will indemnify and save the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss arising from the permission herein granted;

ii. bicycle racks shall not be placed/installed:

1. in such a manner as, in the opinion of the City, may obstruct pedestrian or wheelchair traffic and in no case, shall a bicycle rack be placed on a sidewalk having a width of 2.0 metres or less;

2. within 6.0 metres of any fire hydrant;

3. so as to interfere with or obstruct any street maintenance operation and in no case, shall a bicycle rack be within 11.0 metres of a bus stop during the months of December to April, inclusive of each year;

4. at bus stops with transit shelters where advertising is on the transit shelter. This restriction is not to apply to bicycle racks for charitable organizations or for bicycle racks without advertising;

5. until prior approval of each bicycle rack location is received from the Commissioner of Transportation/Environmental Services, and in all commercial areas bicycle racks shall not be installed without first obtaining the approval of the Neighbourhood Business Association. All bicycle racks shall be maintained to the satisfaction of the Commissioner of Transportation/Environmental Services.

(b) That all maintenance and repairs to the bicycle racks must be made so as not to interfere with pedestrian traffic or the travelled portion of the roadway; and,

(c) That the Finance and Administration Committee be requested to consider the Region's request to install bicycle racks upon City owned property other than road allowances.

40. That approval be given to St. Mary's Church to close Sheaffe Street from Park Street easterly in order to hold a festival on Saturday 1994 May 21, from 4:00 o'clock p.m. to 1:00 o'clock a.m.; Sunday 1994 May 22, from 4:00 o'clock p.m. to 11:00 o'clock p.m.; Saturday 1994 June 25 from 4:00 o'clock p.m. to 1:00 o'clock a.m. and Sunday 1994 June 26, from 4:00 o'clock p.m. to 11:00 o'clock p.m., subject to the following conditions:

(a) That approval from Regional Police Services be received if necessary; and,

(b) That the applicant provide proof of $2,000,000. public liability insurance, naming the City and Region as an added insured party with a provision for cross liability, and holding the City and Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services; and,

(i) That a temporary exemption from Noise Control By-law No. 79-292 be granted to the applicant.

41. That approval be given to J. Goodwin, agent for the March for Jesus Committee (304 Eastdale Boulevard, Stoney Creek) to temporarily close the following City Roads in Hamilton on Saturday 1994 June 25, between 1:30 o'clock p.m. and 6:00 o'clock p.m. to hold the March for Jesus parade:

Ferguson Street from Wilson Street to King Street
MacNab Street from King Street to Main Street West

Subject to the following conditions:

(a) That approval from Regional Police Services be received; and,

(b) That the applicant provide proof of $2,000,000 public liability insurance, naming the City and the Region of Hamilton-Wentworth as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

42. (a) That the proposed alteration to the roadway of Dundurn Street South, west side from approximately 15 m south of Aberdeen to approximately 25 m southerly by the construction of a temporary curb stone island approximately 2.2 m by 10.6 m be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statues of Ontario 1990 and the necessary Alteration By-law be prepared by the City Solicitor and advertised by the City Clerk; and,

(b) That the Director of Public Works be authorized to install these curb stones once all the necessary approvals are received.

43. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of G. Hymas to temporarily close Ferguson Avenue North from King Street to Rebecca Street, excluding the intersection at King William Street, from 7:00 o'clock a.m. until 5:00 o'clock p.m. every Sunday and statutory holiday from 1994 May 1 to 1994 July 3, for a street market and entertainment event, subject to the following conditions:

(a) That approval from Regional Police Services be received; and,

(b) That the applicant provide proof of $2,000,000. public liability insurance, naming the City of Hamilton and the Region of Hamilton-Wentworth as an added insured party, with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services at the expense of the applicant; and,

(f) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(g) That no property owner or tenant within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

(i) That the Street Market comply with the provisions of the Licencing By-law. ADDED.

Recorded vote on subsection (i):

YEAS: Acting Mayor Agro, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Merling. -1. **CARRIED.**

44. That leave be granted to introduce the following Bills:

(a) A-28 A By-law to Incorporate City Lands Designated as Parts 5 and 6, Plan 62R-11052, Parts 4 and 5, Plan 62R-12104, Block 31, Plan 62M-710 and Block 13, Plan 62M-751 into Appleblossom Drive

(b) A-29 A By-law to Incorporate City Lands Designated as Block 32, Plan 62M-710 into Brigadoon Drive

(c) A-30 A By-law to Amend By-law No. 79-292 to Control Noise

(d) A-31 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(e) A-32 A By-law to Amend By-law No. 89-72 to Regulate Traffic

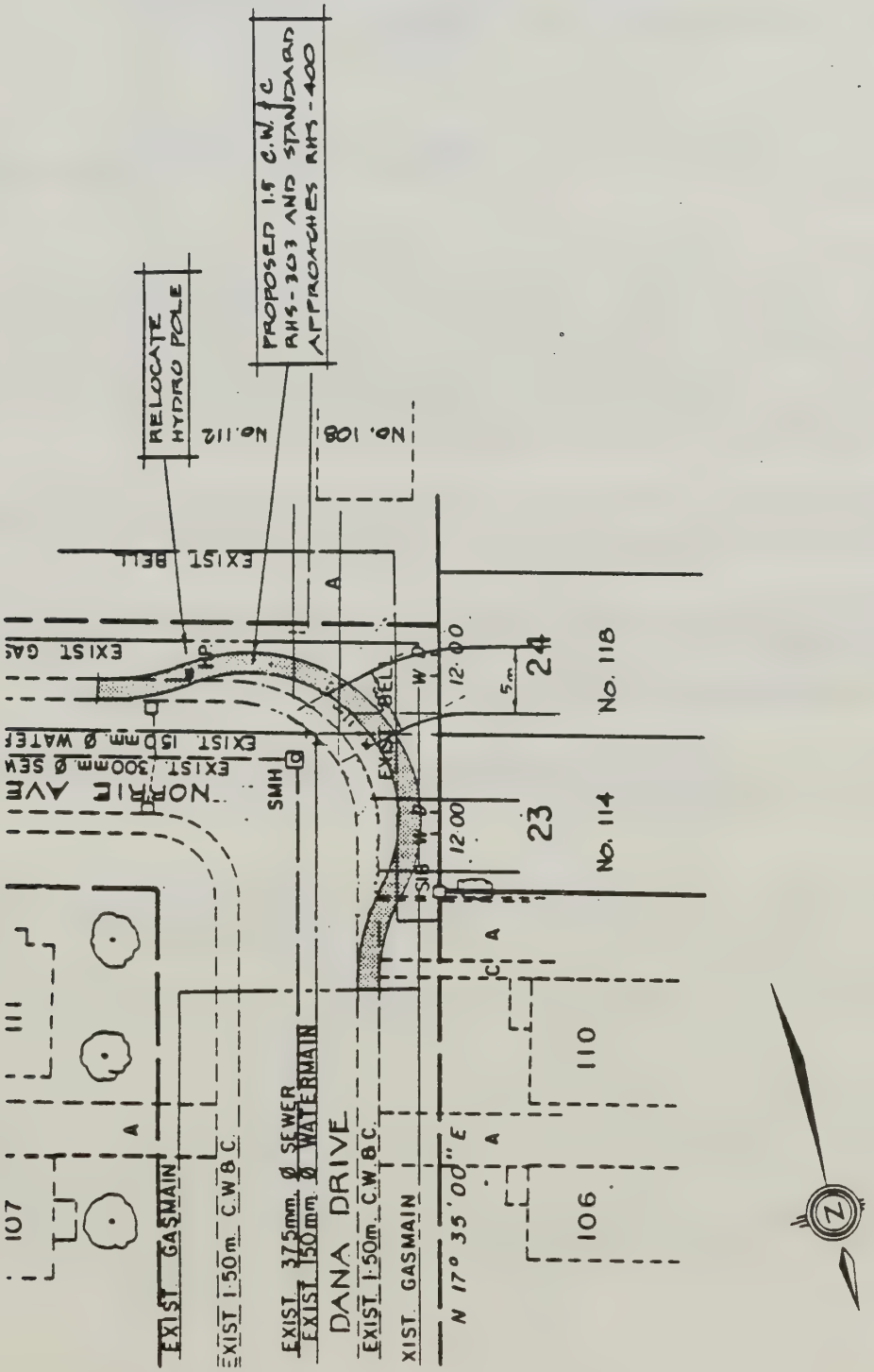
Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1994 May 2

Appendix "A" as referred to in
Section 29 of the EIGHTH Report
of the Transport and Environment
Committee for 1994



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1994 and respectfully recommends:

1. That approval be given to Zoning Application 94-06, Guy Amodeo, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings, for property located at the rear of 379 Rymal Road East, shown on the attached map marked as Appendix "A", on the following basis:

   (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

   (b) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Map E-18D for presentation to City Council; and,

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That approval be given to amended Zoning Application 93-40, Luval Enterprises Limited, owners, requesting changes in zoning from "DE-3"-'H' (Multiple Dwellings - Holding) District to "RT-20"-'H' (Townhouse-Maisonette - Holding) District - Modified for Block "1"; from "DE-3"-'H' (Multiple Dwellings - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District for Block "2"; from "RT-30"-'H' (Street Townhouse - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District for Block "3"; and from "RT-30"-'H' (Street Townhouse - Holding) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District for Block "4", for lands located south of Mud Street and west of Upper Mount Albion Road, shown as Blocks "1", "2","3", and "4" on the attached map marked as Appendix "B", on the following basis:

(a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit development of the subject lands until the applicant/owner has entered into a Modified Subdivision Agreement with City/Region, and Access Agreements with the Region, to the satisfaction of the Regional Roads Department.

Removal of the holding restriction shall be conditional upon the applicant/owner entering into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department. City Council may remove the 'H' symbol, and thereby give effect to the "C", "RT-20", and "R-4" District provisions as stipulated in this By-law by the enactment of an amending By-law.

(b) That Block "1" be rezoned from "DE-3"-'H' (Multiple Dwellings - Holding) District to "RT-20"-'H' (Townhouse-Maisonette - Holding) District;

(c) That the "RT-20" (Townhouse-Maisonette) District regulations as contained in Section 10 of By-law No. 6593, applicable to Block "1", be modified to include the following variance as a special requirement:

(i) That notwithstanding Section 10(2)(a) of By-law No. 6593, Street Townhouse Dwellings shall not be permitted;

(d) That Block "2" be rezoned from "DE-3"-'H' (Multiple Dwellings - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District;

(e) That Block "3" be rezoned from "RT-30"-'H' (Street Townhouse - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District;

(f) That Block "4" be rezoned from "RT-30"-'H' (Street Townhouse - Holding) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District;

(g) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1328, and that Block "1" on Zoning District Map E-79B be notated S-1328;

(h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-79B for presentation to City Council;

(i) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(j) That the Albion Falls Neighbourhood Plan be amended by redesignating Block "1" from "Medium Density Apartments" to "Attached Housing", Block "2" from "Medium Density Apartments" to "Single and Double Residential", and Blocks "3" and "4" from "Attached Housing" to "Single and Double Residential".

3. (a) That future applications for boulevard parking agreements for buildings designated under the Ontario Heritage Act be circulated to LACAC for their comments.

(b) That the designation process for buildings and districts proposed for designation under the Ontario Heritage Act include a review of the appropriateness of permitting front-yard parking/boulevard parking for the building or district.

4. That the Building Department be directed to formalize with the Ministry of Community and Social Services the trial programme regarding home rehabilitation assistance for homeowners in receipt of family benefits.

5. (a) That approval be given to the "Intent to Designate" the Veevers Home at 22 Veevers Drive as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto and marked as Appendix "C", and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

6. That the City of Hamilton accept the sum of $20,770. as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 5", Hamilton, this being the cash payment required under Section 51 of the Planning Act.

   The lands of "Claudette Gardens - Phase 5" are located west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood.

7. That the Mayor and City Clerk be authorized and directed to execute the necessary documents to release the property at 1060-1088 Rymal Road East, Hamilton, known as Lot 9 and Block 16, Plan M-352, Hamilton Industrial Park No. 3, from the construction covenants to the City as contained in Instrument Nos. 186944 L.T. and 186945 L.T. registered on 1986 October 8.

8. That $10,000. be provided for the Sixth Annual Business Development Seminar that is being held on 1994 October 26, from Phase IV of the Downtown Action Plan Account Number CF 5200-428803000.

9. (a) That approval be given to application 25CDM-94001, Tommar Construction Co. Limited, owner, to establish a draft plan of condominium located at 2774 King Street East at Greenhill Avenue, subject to the following condition: -

   (i) That this approval apply to the plan prepared by S.D. McLaren, O.L.S., (A. T. McLaren Limited), dated 1994 February 24, and revised in red, showing 43 residential townhouse units; and,

   (ii) That the owner satisfy all outstanding requirements under Site Plan Application DA-94-04 to the satisfaction of the City of Hamilton prior to registration of the Final Plan of Condominium;

   (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

10. (a) That no additional changes be made to the approved Kirkendall North Neighbourhood Plan, at this time; and,

(b) That the Kirkendall/Chedoke Modified Neighbourhood Plan Review Committee has fulfilled its mandate and therefore, should officially be disbanded. However, the group should be encouraged to meet on an informal basis, with staff to attend as required and to address specific issues.

11. That the Building Commissioner be authorized to issue demolition permits for:

(a) 772 West 5th Street
(b) 788 West 5th Street
(c) 1790 Main Street West
(d) 1796 Main Street West
(e) 1812 Main Street West
(f) 149 Macauley Street

12. That a Commercial Loan in the amount of seven thousand, one hundred and five dollars ($7,105.) be approved for John and Helen Mouskos. The interest rate will be 2 3/4 percent amortized over 10 years. **REFERRED BACK**.

13. That an Ad Hoc Sub-Committee of the Planning and Development Committee be struck to negotiate and deal with matters of land use with regard to the Hamilton Harbour Commissioners and that this Committee be composed of all nine members of the Planning and Development Committee and that this Committee not be bound by quorum.

AMENDED.

14. That Item 5A of the Fourth Report of the Planning and Development Committee, adopted by City Council on 1994 March 8 be amended by deleting paragraphs (b), (c), (d), (g), (h) and (j) and substituting the following therefore:

(b) The owner shall provide the City with financial security for 75% of the estimated cost of the exterior works required by the approved Site Plans (exclusive of the building(s));

(c) The owner shall provide such security in the form satisfactory to the City Treasurer and prior to the City's execution of the Site plan Agreement. The security, if necessary, shall be used to complete and/or rectify works in accordance with the approved site plans and restore adjacent municipal property damaged during construction. Costs in excess of the security held shall be paid by the owner and, if necessary, added to the tax roll for recovery in the same manner as taxes;

(d) Notwithstanding items, (b) and (c) above, City Council may exempt projects being carried out by government (Federal, Provincial and Municipal), as well as School Boards projects, from providing securities;

(g) Site Plan Agreements will be required to be registered on title;

(h) A Building Permit shall be issued only after

- security has been received by the City Treasurer;
- a lawyer's Certificate has been received confirming registration of the Site Plan Agreement and an Easement in favour of the City;
- the other usual requirements for the permit are fulfilled;

(j) Where the Building Commissioner is satisfied with,

(i) a professional Engineer's certificate that the grading and retaining walls shown on a Site Plan Agreement have been completed; and

(ii) a professional Engineer's, Architect's or Landscape Architect's Certificate that the balance of the required exterior works have been completed, then the Building Commissioner may request the City Treasurer to release the security held under a Site Plan Agreement to the current owner (provided that the owner's lawyer certifies that the owner requesting the refund is the current owner);

(k) The Planning and Development Committee forward its concerns about the licensing of Public Parking Lots to the Clerk's Department and the Finance and Administration Committee;

(l) The Building Department deal with maintenance issues arising out of registered Site Plan Agreements.

(m) The requirement of 75 per cent securities be applied retroactively to site plans where 100 per cent securities have been posted, at the request of the owner, provided that the site plan has been or is registered on title to the subject plan.

15. That leave be granted to introduce the following Bills:

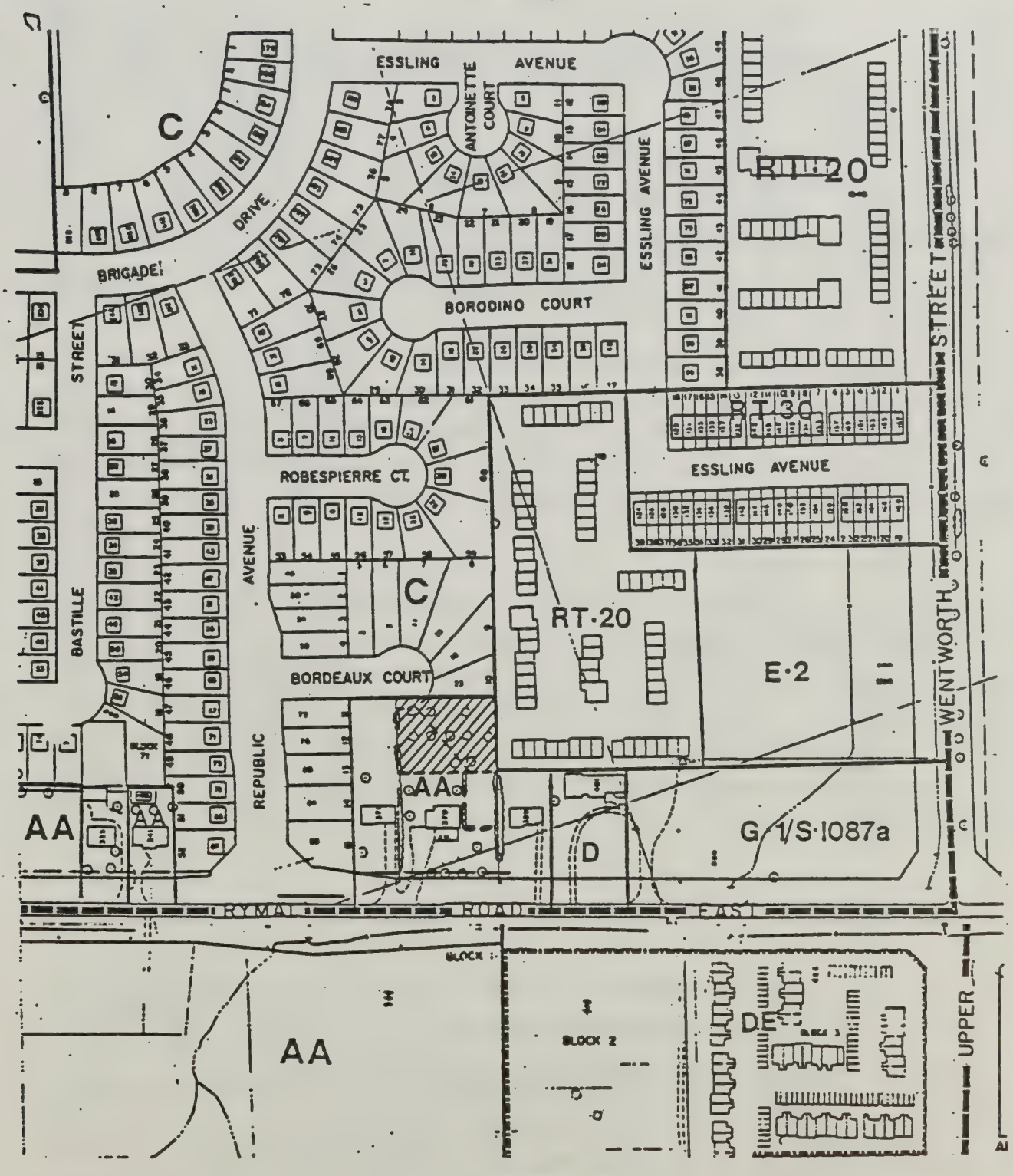
(a) C-22 A By-law to amend Zoning By-law No. 6593 respecting lands located south of Mud Street and West of Upper Mount Albion Road.

(b) C-23 A By-law to adopt Official Plan Amendment No. 125 respecting lands located west of Pritchard Road between Stone Church Road East and Rymal Road East within the Hannon North Neighbourhood.

RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE

Tina Agnello
Secretary
1994 May 4

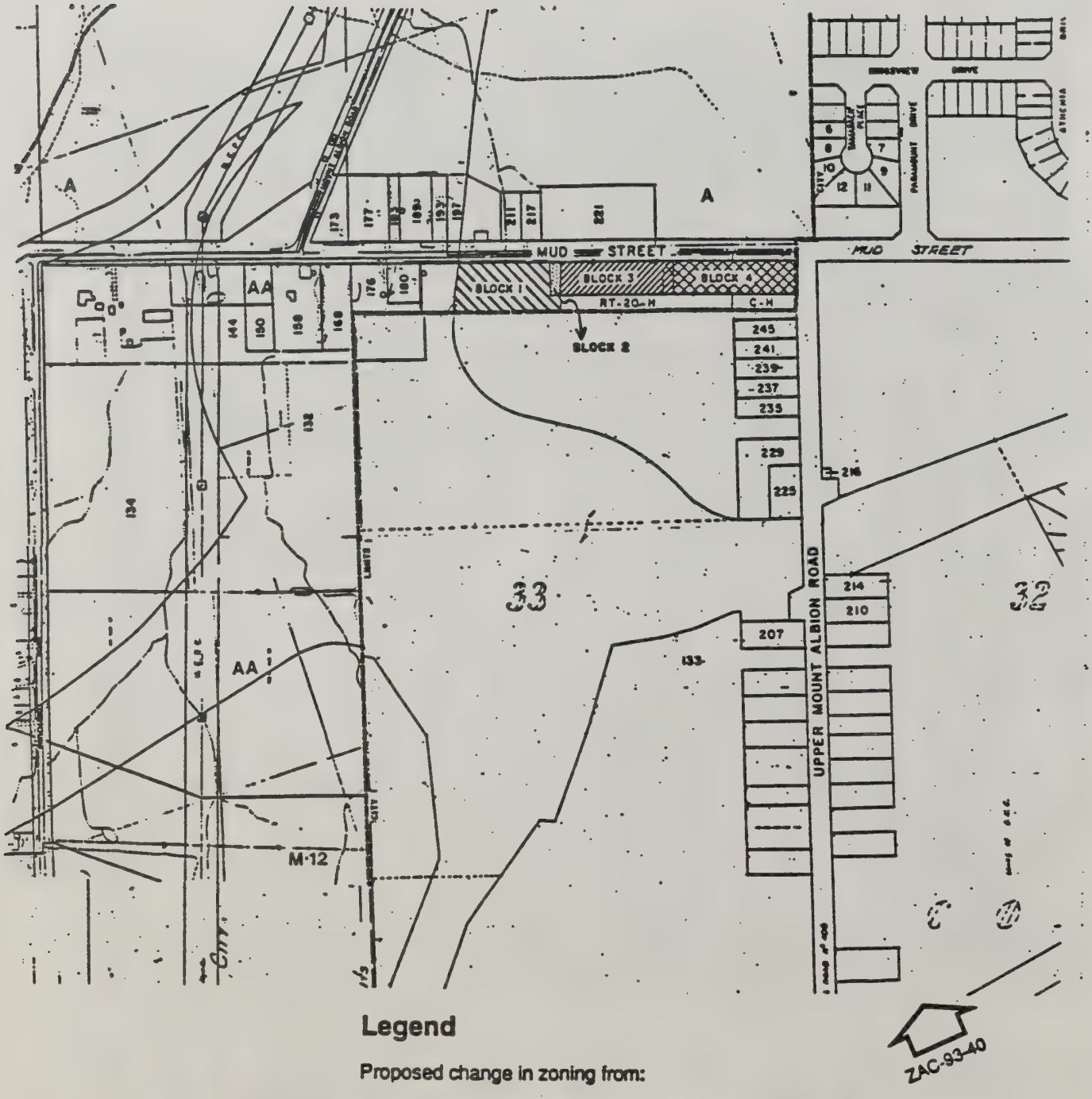


Legend

Site of the Application

ZAC-94-06

1994 May 10



Legend

Proposed change in zoning from:

BLOCK 1 — "DE-3"-'H' (Multiple Dwellings - Holding) District to "RT-20"-'H' (Townhouse - Maisonette - Holding) District.

BLOCK 2 — "DE-3"-'H' (Multiple Dwellings - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District.

BLOCK 3 — "RT-30"-'H' (Street Townhouse - Holding) District to "R-4"-'H' (Small Lot Single-Family Detached - Holding) District.

BLOCK 4 — "RT-30"-'H' (Street Townhouse - Holding) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District.

1994 May 10

REASONS FOR DESIGNATION

The Veevers Home
22 Veevers Drive, Hamilton

Context

The former home of Ronald and Bertram Veevers, generously donated by the two brothers to the City of Hamilton in 1985, comprises an enlarged 1850s stone farmhouse and attractive 1.5 acre garden situated near the base of the escarpment just east of the Red Hill Creek Valley. The subdivision of the original 200–acre farm in the 1960s and early 1970s reduced the Veevers property to a total of 12 acres, including a separate 10.5 acre parcel of undeveloped escarpment land.

Up until the 1950s, the farmhouse stood in its original form atop a hill surrounded by rolling pastures, woodland and orchards. Landscaping around the house, largely completed in the 1950s and 1960s, created a parklike setting of special horticultural interest featuring lawns with alleys of trees, rose and tulip beds, and a rockery. Now enclosed by a high iron fence, this garden oasis effectively buffers the house from the engulfing 20th century suburban development, dominated by single–family homes to the north and east and high–rise apartments to the west.

History

Today the Veevers Home stands as a vestige from the pioneer farming era, dating back to the early settlement of Saltfleet Township, when it was closely associated with two important pioneer families: the Deans and the Gages. The original 200–acre crown grant to John Thatcher was purchased in 1834 by James Dean, who erected the present stone farmhouse between 1851 and 1861. Sold in 1871 to John Gage, the house and farm remained in his possession until 1912. The property then changed hands three more times before it was purchased in 1934 by Ronald, Bertram, Cyril and Raymond Veevers and occupied by all eight members of the Veevers family.

The Veevers brothers ran a large and successful fruit and dairy farm, raising a sizable herd of Holstein cattle, and up to the 1940s operated their own dairy. Farming activities were subsequently scaled down and only the two elder brothers, Ronald and Bertram, remained on the farm. The surplus land was sold for development and the last 12 acres, including the farmhouse and 1.5 acre garden, was deeded to the City of Hamilton for public use. The two brothers retained the use of the house and garden until the death of the last surviving brother in 1993.

Architecture

This 1 1/2 storey house, built of rough–hewn stone quarried from the escarpment, is a relatively rare example of a pre–Confederation stone farmhouse in the Hamilton area and, in its original form, a very good example of its type. It has the fine masonrywork, wide horizontal proportions and restrained ornamentation characteristic of early settlers' houses dating from the 1820s through the 1850s. The well–proportioned, symmetrical five–bay facade originally featured a wide doorway with a panelled wood door and sidelights, and a somewhat unusual row of low square, upper storey windows. As a result of extensive renovations undertaken in 1968, these square windows were replaced by higher and taller dormers and the doorway was modified. Despite these alterations and two modern additions, the house is in excellent condition and retains much of its original character, at least on the exterior.

Designated Features

Important to the preservation of 22 Veevers Drive are the original features of all four facades of the 1850s farmhouse, including the stone masonry walls, end chimneys, flat–arched lintels and solid stone sills, the denticulated returned eaves, and the original door and window openings. Excluded are the two–storey wing and garage added to the rear (south–east corner), the glass conservatory (rear), and the modern front door and dormer windows.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1994 and respectfully recommends:

1. That as referred to in Section 35 of the Eighth Report for 1994 of the Transport and Environment Committee, the City Solicitor be authorized to revise the appropriate By-laws for the following local improvement projects previously authorized by Council and the increased cost of the City's share in the total amount of $35,000. be financed from the 1994 Capital Levy, Account Centre No. CH 22002:

   (a) That the City's share of the cost be revised from $8,924. to $33,924. for the construction of an alley between Fairfield Avenue North and Paling Avenue North from Britannia Avenue to the north limit of 255 Paling Avenue North (north-south alley); and,

   (b) That the City's share of the cost be revised from $25,175. to $35,175. for the construction of an alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west alley).

2. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 April 27, attached herewith and marked Appendix "A", be approved.

3. That the City Treasurer be directed to close the following Capital Project account with the excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
319341011	125 Barton West - Roof Replacement	$300,000.00	$284,282.09	$15,717.91	Reserve for Capital Projects
TOTAL				$15,717.91	

4. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of, and has no objection, to the issuance of an extension of liquor licence permit to Cricket's Eatery located at 1900 King Street East on Sunday, 1994 May 22nd, from 7:00-11:00 p.m. for the purpose of holding a "Spring Fling" in conjunction with the Rosedale Business Association.

5. That the Council of the Corporation of the City of Hamilton deem the annual festivals of the St. Mary's Portuguese Parish to be held 1994 May 21-22 (St. Holy Spirit Fraternity); 1994 July 2-3 (St. Peter's Holy Fraternity); 1994 August 12-14 (Our Lady of the Angels); 1994 August 19-21 (St. Cecilia Festival) to be community festivals of municipal significance, and as such have no objection to the issuance of a Special Occasion Permit for these Festivals, on the condition that the Permits specify a time limit of 11:00 o'clock p.m.

6. (a) That approval be granted to the Heart and Stroke Foundation of Ontario to use the City Hall forecourt on Friday, 1994 May 20 from 10:00 a.m. to 2:00 p.m. as the start and finish point and registration area for its "Big Bike Ride for Stroke" fundraising event; and,

   (b) That the City Clerk be given the authority to approve of a similar use in future years provided it does not interfere with any other activity.

7. That a purchase order be issued to Graphic Papers, Kitchener, for the supply and delivery of fine paper to various department as and when required during 1994, being the lowest complete of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through various approved accounts.

8. (a) That the Property Department, with the co-operation of the Pathway Committee (a Subcommittee of the Regional Committee for Persons with Physical Disabilities), apply yellow striping, on an experimental basis, at the edging of four stairs leading to the north east entrance of the City Hall building; and,

   (b) That the Property Department, with the co-operation of the Pathway Committee assess the success of the experimental project after 1 year. The results of the assessment will be the determining factor in applying yellow striping in other locations of the City Hall grounds and other public buildings; and,

   (c) That the total cost of $1,000. be expended from the Capital Funds Account 319441017 (Barrier Free Design Modifications, All City Owned Buildings.); and,

(d) That upon the success of the experimental project, a cost estimate of the overall project, including annual maintenance budget be presented to the Finance and Administration Committee for approval.

9. That the holding of Special Bingo Events (Monster Bingos) in the City of Hamilton be approved.

10. That in accordance with Section 26(1)(2) of Ontario Regulation 546/90 of the Liquor Licence Act, 1990, the Council of the Corporation of the City of Hamilton deems the 1994 World Championships of Basketball, being co-hosted by Hamilton, and being held on 1994 August 4-14, to be an event of municipal/national significance, and as such is worthy of consideration of extended hours of operation at all existing licensed establishments to a 2:00 a.m. closing.

11. That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 1994 Annual Conference of the Association of Municipalities of Ontario being held 1994 August 21-24 in Toronto, Ontario.

12. (a) That the following Job Sharing Policy be approved and implemented:

> "The City of Hamilton encourages an environment that enables employees to submit requests for job sharing of permanent full time positions".

(b) That the Commissioner of Human Resources be authorized and directed to establish administrative guidelines to ensure effective implementation of the Job Sharing Policy.

(c) That the Job Sharing Policy be incorporated in the Corporate Policy Manual.

13. That the Corporation of the City of Hamilton confirm its Policy on Conflict of Interest adopted by City Council on 1980 January 29, as attached herewith and marked Appendix "B".

14. (a) That the revisions to the Purchasing Policy, as bolded on the Corporate Purchasing Policy attached herewith and marked Appendix "C", be approved; and,

(b) That the revised Purchasing Policy be included in the Corporate Policy Manual.

15. That the City Solicitor be authorized and directed to prepare by-laws to:

    (a) Repeal By-law 84-108 which appointed an Acting Treasurer; and,

    (b) Appoint Mr. Terry Daw and Mr. Nik Adhya as Acting Treasurers in the absence of the Treasurer; and,

    (c) Appoint Mr. Terry Daw and the Treasurer as Tax Collectors for the City.

16. That a purchase order be issued to R.C. Dawson, Hamilton, in the amount of $77,587.69, including all applicable taxes for the supply, delivery and installation of furniture at Fire Station 4, Macassa Park, being the only acceptable of eleven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's Tender. Funds available in Fire Station 4, Macassa Park Account No. CF 5200 489241009.

    REFERRED BACK.

Recorded vote.

YEAS: Acting Mayor Agro, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Cooke, Agostino, Eisenberger, Charters. - 4. CARRIED.

17. (a) That authorization be given to the Fire Chief and Director of Property to proceed with immediate repairs at the Central Fire Station, John Street North, including the replacement of underground storage tanks and faulty fuel supply lines, removal of contaminated soil in accordance with provincial regulations and repairs to portions of the concrete courtyard area at the rear of the building, which is used for parking and manoeuvring of trucks and has been damaged and undermined due to the seepage of ground water; and,

    (b) That the cost of this work which is estimated to be $60,000., plus the cost to cure the soil contamination problem and damaged concrete, the extent of which is unknown until excavation takes place, be allocated out of the 1994 Capital Contingency and be financed from the Reserve for Capital Projects Account Centre No. CH 00203.

18. (a) That the City resolve Ontario Court (General Division) Action No. 1858/93 by the payment to the Plaintiffs, Margaret and Daniel Halliday, of the sum of $2,000., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 1858/93 be dismissed without costs.

19. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 33861/92 by the payment to the Plaintiffs, Harry, Karen, Lindsay, Caroline, Colin, and Adrain Rous of the sum of $3,952.50 inclusive of all damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action 33861/92 be dismissed without costs.

20. (a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1994 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated total and eligible maintenance and construction expenditures (as contained in the 1994 Current and Capital Budgets and forecasted overexpenditures in winter maintenance) as indicated on Schedule "A" attached herewith and marked Appendix "D"; and,

(b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary; and,

(c) That the Treasurer be authorized to monitor expenditures during 1994 and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.

21. That leave be granted to introduce the following Bills:

(a) D-16 A By-law to Appoint An Acting Treasurer.

(b) D-17 A By-law to Appoint A Collector.

(c) D-18 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

(d) D-19 A By-law respecting the Downtown Hamilton Business Improvement Area. ADDED.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS,
CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1994 May 5

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Thomas Bradley	Manager of Purchasing	Treasury	Retired (Early)	33 years, 10 months	April 29/94
Mr. Gino Fuciarelli	Sports Groundskeeper II	Public Works	Retired (Early)	29 years, 10 months	March 31/94
Mr. Roy Hamrael	Manager of Accounting	Treasury	Retired (Early)	29 years, 10 months	April 29/94
Mr. Rae Ilton	Building Inspector	Building	Retired (Early)	20 years, 8 months	March 31/94
Mr. James Keenan	Lead Hand/Truck Driver	Public Works	Resigned	17 years, 9 months	April 04/94
Mr. John Maracle	Yard Attendant	Public Works	Retired (Early)	22 years, 8 months	March 31/94
Mr. Wilburt McConnell	Caretaker	Property	Retired (Early)	23 years, 4 months	April 29/94

Prepared April 27/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

Appendix "A" referred to in Section 2 of the EIGHTH Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dennis Airth	I	Probationary Fire Inspector (N1A)	Fire	Replacing Mr. B. Hunt - retired Oct. 29/93	$36,867.15	April 18/94
Mr. George Almas	I	Platoon Chief (C12)	Fire	Replacing Mr. J. McCallum - retired Oct. 28/93	$72,764.50	March 27/94
Mr. Bill Ball	I	Dispatcher (12H)	City Clerk	Replacing Mr. W. Freeman - retired Dec. 31/93	$33,176.00 to $36,308.48	March 21/94
Mr. James Bursey	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. W. Shrubsall - retired Oct. 30/93	$34,234.08	April 18/94
Mr. Leo Cascioli	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. R. Knowles - retired Oct. 28/93	$34,234.08	April 18/94
Ms. Dianne Collins	I	Educational Officer (O)	Culture & Recreation	Departmental Restructuring - Approved by Committee of the Whole Feb. 11/94	$34,001.76 to $39,962.52	April 05/94

Prepared April 27/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Candise Corbin	I	Parking Control Officer (13I)	Traffic	Additional Staff - Council Approved Dec. 14/93	$32,560.32 to $37,396.32	April 11/94
Mr. James Dol	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. W. Dowhan - retired Oct. 31/93	$34,234.08	April 04/94
Mr. Frank Genovese	I	Building Inspector (25A)	Building	Replacing Mr. J. Finlay - resigned Sept. 04/90	$42,280.16 to $48,626.76	April 01/94
Mr. Kevin Hodges	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. G. Bartlett - retired Aug. 31/93	$34,234.08	April 18/94
Mr. Zoran Kristo	I	Building Inspector (25A)	Building	Replacing Mr. W. Pooler - retired June 29/90	$42,280.16 to $48,626.76	April 01/94
Mr. Rick Kuipers	I	Building Inspector (25A)	Building	Replacing Mr. R. Ilton - retired March 31/94	$42,280.16 to $48,626.76	April 01/94

Prepared April 27/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Loewen	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. C. Britton - retired Oct. 30/93	$34,234.08	April 18/94
Mr. Steve Marshall	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. J. Davidson - retired Oct. 26/93	$34,234.08	April 18/94
Mr. Mark Matthews	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. D. Anderson - retired Oct. 30/93	$34,234.08	April 18/94
Mr. Brett McCallum	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. C. Ratkowski - retired Oct. 26/93	$34,234.08	April 18/94
Mr. Paul Ormond	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. R. Andrews - retired Oct. 26/93	$34,234.08	April 18/94
Mr. Larry Power	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. J. Rumbles - retired Oct. 29/93	$34,234.08	April 18/94

Prepared April 27/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Andrew Stanislawczyk	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. J. Cheeseman - retired Oct. 28/93	$34,234.08	April 18/94
Mr. Douglas Tam	I	Building Inspector (25A)	Building	Replacing Mr. I. Domenic - retired Aug. 30/91	$42,280.16 to $48,626.76	April 01/94
Mr. Robin Taylor	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. D. Johnstone - retired Oct. 28/93	$34,234.08	April 18/94
Mr. Albert Vandeaakker	I	Platoon Chief	Fire	Replacing Mr. A. Chalmers - retired Oct. 26/93	$72,764.50	March 27/94
Mr. James Winn	I	Chief Fire Prevention (C12A)	Fire	Replacing Mr. D. Peters - retired Oct. 29/93	$72,764.50	March 27/94

Prepared April 27/94

Status

Internal - I
External - E

Appendix "B" referred to in Section 13 of the EIGHTH Report of the Finance and Administration Committee for 1994.

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	PROCEDURE	
	EFFECTIVE DATE:	PROCEDURE NO.: A.04.00.04
	CHAPTER A : EMPLOYMENT STANDARDS	
	SECTION : CODE OF CONDUCT	
	SUPERSEDES NUMBER:	REVISION DATE:
APPROVALS	CITY CHIEF ADMINISTRATIVE OFFICER :	
	REGIONAL CHIEF ADMINISTRATIVE OFFICER:	

SUBJECT: CONFLICT OF INTEREST -- CITY ONLY

DIRECTION

1. BUSINESS WITH THE CORPORATION

An employee of the Corporation shall not have direct or indirect interest in a company or own a company which sells good or services to the Corporation.

Administration

Employees owning a business or having direct or indirect interest in such a business, shall declare such interest to the "Finance and Administration Committee" in writing, and shall refrain from selling or tendering these goods or services to the Corporation or shall resign from the employ of the Corporation. Failure to do so may be cause for dismissal.

2. BUSINESS INTERFERING WITH THE WORK OF THE EMPLOYER

An employee shall not conduct a business or have direct or indirect interest in a business or to do work which is subject to his or any other City or Regional employees' approval. This does not include work done by himself on the property where he resides.

Administration

Where circumstances make it impractical to adhere to this policy, the matter shall be brought to the attention of the Department Head for approval and in the case of Department Head to the "Finance and Administration Committee" for approval. Failure to observe the policy may be cause for dismissal.

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	PROCEDURE	
	EFFECTIVE DATE:	PROCEDURE NO.: A.04.00.04
	CHAPTER A : EMPLOYMENT STANDARDS	
	SECTION : CODE OF CONDUCT	
	SUPERSEDES NUMBER:	REVISION DATE:
APPROVALS	CITY CHIEF ADMINISTRATIVE OFFICER :	
	REGIONAL CHIEF ADMINISTRATIVE OFFICER:	

SUBJECT: CONFLICT OF INTEREST -- CITY ONLY (continued)

3. Business Gifts and Hospitality

While it is recognized that business gifts or hospitality are in most instances simply an expression of cordial relationships between individuals who come in contact with one another in the course of carrying out their duties for their respective employers, acceptance of such gifts or hospitality even without improper motives, can place the recipient in a compromising situation.

It is contrary to the policy of the Corporation to give or receive business gifts or hospitality of other than nominal or token values.

Administration

Employees who are confronted with an offer of a business gift or hospitality which exceeds nominal value are expected to refuse such an offer as tactfully as possible by advising the donor of Corporation policy on such matters.

Where unusual circumstances make it impractical to adhere rigidly to this policy, the matter should be referred to the employee's immediate supervisor who should consult with the appropriate Department Head and Department Heads who should consult with the "Finance and Administration Committee".

Failure to observe this policy shall be cause for disciplinary action, or may be cause for dismissal.

4. Purchase and Lease of Real Property from the

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

HUMAN RESOURCES POLICY AND PROCEDURES MANUAL	PROCEDURE	
	EFFECTIVE DATE:	PROCEDURE NO.: A.04.00.04
	CHAPTER A : EMPLOYMENT STANDARDS	
	SECTION : CODE OF CONDUCT	
	SUPERSEDES NUMBER:	REVISION DATE:
APPROVALS	CITY CHIEF ADMINISTRATIVE OFFICER :	
	REGIONAL CHIEF ADMINISTRATIVE OFFICER:	

SUBJECT: CONFLICT OF INTEREST -- CITY ONLY (continued)

Corporation

An employee of the Corporation shall not directly or indirectly purchase or lease real property from the Corporation nor shall an employee have any direct or indirect interest in a company which purchases or leases property from the City.

The only exception to the above policy are instances where an employee is granted accommodation by the Corporation as part of his employment, i.e. a Parks employee who occupies a house at a specific park site and is there conveniently for maintenance and security purposes.

Administration

Where circumstances make it impractical to adhere to this policy or where by law this policy cannot be adhered to, the matter shall be brought to the attention of the Department Head and the "Finance and Administration Committee" for approval.

Failure to observe this policy shall be cause for disciplinary action, or may be cause for dismissal.

Department Heads shall advise all of their employees of this policy and a copy of the policy shall be made available to each employee.

Appendix "C" referred to in Section 14(a) of the EIGHTH Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON
CORPORATE PURCHASING POLICY

1994 May 10

Date of Record: 1994 May 10 - for update refer to Q:\TRE_\PURCHASE.pol

1.0 PURCHASING POLICY AND GUIDELINE APPROVALS

City Council shall approve all Corporate Purchasing Policies.

The Chief Administrative Officer shall have the authority to approve all Administrative Purchasing Guidelines.

The Manager of Purchasing **or designate** shall have the authority to develop procedures to implement all approved purchasing policies and purchasing guidelines.

2.0 SCOPE OF PURCHASING POLICY

The Purchasing policy of the City shall apply to all City Departments, including all Boards, Committees, Authorities and Commissions of Council funded wholly or in part by The Corporation of the City of Hamilton, **with the exception of the Hamilton Public Library Board,** hereinafter referred to as Agencies, and shall be implemented in accordance with authorized procedures and within authorized budgets.

All Agencies shall adopt this policy revising only the approval group or individual in the appropriate place in each policy.

3.0 ENCOURAGE COMPETITIVE BIDDING

It shall be the policy of the City

- to encourage open competitive bidding on all acquisition of goods and services where practical, and

- to procure by purchase, rental or lease, the required quantity and quality of goods and services in a cost-efficient and effective manner.

4.0 CO-ORDINATED PURCHASING PROGRAM

It shall be the policy of the City to operate a co-ordinated purchasing program where all departments shall be required to use the services of the Purchasing Division.

NOTE: Exceptions to this policy are to be found in Corporate Policy #5.

5.0 EXCEPTIONS TO CORPORATE POLICY #4

1994 May 10

The following are authorized exceptions to the Corporate Purchasing Policy #4.

Exception #1: For supplies and services of common usage e.g. vehicles, stock items, stock equipment and supplies and services when the tender or quotation is called by an agency that is a member of the Co-operative Purchasing Group.

Exception #2: The **preparation** of tenders and proposals for all construction of capital projects for building and related architectural and engineering consultants shall be handled by the **Property Department.**

Exception #3: The regular contractual process and the necessary approvals as outlined in Corporate Policy #4 for obtaining goods and/or services, shall not apply if obtained from - the Federal Government or its agencies, Provincial Government or its agencies, Local Boards and/or agencies, Crown Corporations, the City Area Municipalities and Special Purpose Bodies within the Region and City, including agencies that are members of the Co-operative Purchasing Group, the public utility companies and the natural gas supply.

Exception #4: Additional exceptions will be found in appendix.

6.0 CO-OPERATIVE PURCHASING

The City recognizes that co-operative purchasing is beneficial, therefore, the Manager of Purchasing or designate is authorized to chair a Co-operative Purchasing Committee. When it is decided that the City will participate in a co-operative purchasing tender, the policy of the agency calling the tender/proposal/quotation will be followed.

Definition of Co-operative Purchasing Agreement

Co-operative or collective purchasing is the joining together of two or more separate organizations for the purpose of preparing specifications and proposals, collectively receiving bids, and making an award to the vendor submitting the lowest acceptable Total Acquisition Cost. This will not apply to construction related services.

Thereafter, each agency issues its own contract and is responsible for administering the remainder of the procurement function, namely, expediting, receiving, inspecting, sorting and verifying invoices; and each agency is responsible for its own payments.

7.0 AUTHORIZATIONS FOR ISSUING PURCHASE ORDERS (see Table 1)

It shall be the policy of City Council to set the spending limits for all purchases based on total acquisition costs, excluding trade-ins, made for City Departments and authorize the signing authorities required for such spending limits. **Prior to processing a requisition to Purchasing, the document must be signed by the Department Head or designate.**

NOTE: **Where reference is made to the Chief Administrative Officer of the City of Hamilton, it shall be deemed to include the General Manager of the Parking Authority, and the Chief Administrative Officer of the Hamilton Entertainment and Convention Facilities Inc. (HECFI). Where Council is referred to for the City, it shall be deemed to include the Boards for both the Parking Authority and HECFI.**

a) All Field Purchase Orders up to and including **$500** (all taxes included) shall require the approval of the Department Head or designate.

b) All other purchase orders having an individual expenditure from **$501** up to and including $18,000 **signed by the Purchasing Manager or designate.**

c) All other purchase orders having an individual expenditure from $18,001 up to and including $29,000, the Chief Administrative Officer **and then signed by the Purchasing Manager or designate.**

d) All individual expenditures from $29,001 up to and including $57,000 shall require the approval of two of the following: 1) the Chief Administrative Officer, 2) the Mayor 3) the Chairman of the Standing Committee **and then signed by the Manager of Purchasing or designate.**

e) All individual expenditures exceeding $57,000 shall require City Council approval **and then signed** by the Manager of Purchasing or designate.

Only the Manager of Purchasing or designate shall have the authority to sign a purchase order.

f) When there is an increase to the total price of a purchase order, the increase shall be approved in accordance with the above spending limits. This will also apply to all change orders to contracts.

g) The amounts stated are to be increased annually in accordance with the Consumers' Price Index and rounded to the nearest $1,000, except for a) which shall be rounded to the nearest $100.

NOTE: Exceptions to this policy are found in Corporate Policy #8.

8.0 EXCEPTIONS TO CORPORATE POLICY #7

1994 May 10

City **Council** recognizes that emergency situations occur and to ensure continuous operation of an essential service, authorizes the following exceptions to Corporate Purchasing Policy #7.

In the case of an emergency, the Department Head, Manager or Chief Executive Officer or designates, have the authority to:

a) Spend up to and including $18,000 with subsequent approval of the Purchasing Division.

b) Spend from $18,001 up to and including $29,000 with subsequent approval of the Chief Administrative Officer for the City;

c) Spend from $29,001 up to and including $57,000 with subsequent approval of two of the following: 1) the Mayor 2) the Chairman of the **Standing** Committee and 3) the Chief Administrative Officer.

d) Spend over $57,001 with subsequent approval of two of the following: 1) the Mayor 2) Chairman of the **Standing** Committee and 3) the Chief Administrative Officer.

Department Head, to submit a report to the next meeting of the respective Standing Committee explaining the action taken with reasons, costs, etc.

e) All emergency expenditures must be confirmed in writing to the Purchasing Division with the reason(s) for the emergency **for sections b), c) and d)**.

f) The Manager of Purchasing **or designate** will then issue a purchase order after the necessary approvals have been obtained.

g) The amounts stated are to be increased annually in accordance with the Consumers' Price Index and rounded to the nearest $1,000.

9.0 TOTAL ACQUISITION COST

The Purchasing division shall consider total acquisition costs, rather than only the lowest cost received.

"Total Acquisition Cost" shall mean the most cost efficient and effective manner and shall be the sum of all costs, including purchase price, all taxes, Canadian Content, warranty, life cycle cost, operating and disposal costs, incurred for determining the lowest acceptable bid meeting the specifications.

10.0 LOCAL BIDDERS

1994 May 10

Subject to all Purchasing Policies and subject to the total acquisition cost being equal, it shall be the policy of the City to take into consideration the location of the bidders.

11.0 STANDARDIZATION

It shall be the policy of the City to standardize goods and services purchased with a view to reducing the numbers acquired to the smallest number consistent with City needs.

12.0 CANADIAN CONTENT

a) The Corporation of the City of Hamilton's Purchasing Policy is designed to stimulate and encourage Canadian manufacturing activity and to assist Canadian suppliers in competition for the supply of goods and services to the City.

The Purchasing Division requires a 15% Canadian Content Preference on public tenders and proposals for the purchase of any single item or commodity grouping exceeding $57,000 excepting those items covered by the Canada/U.S. Auto Pact and the Free Trade Agreement.

NOTE: A Canadian Content form must be completed. The National Standard of Canada definition #2-147.3-82 shall be used as the criteria for the definition of Canadian Content.

b) Reference to South African policy be deleted.

13.0 DISPOSAL OF SURPLUS GOODS

a) Where goods or equipment are surplus to the needs of any City Department, **Parking Authority and The Hamilton Entertainment and Convention Facilities Inc.,** the Manager of Purchasing or designate shall be so notified and permission to dispose of these goods shall be obtained from the Chief Administrative Officer, the General Manager or the Chief Executive Officer or designates. The only exception to this procedure will be garbage as defined by the Public Works Department.

The Manager of Purchasing or designate shall offer any useable goods or equipment declared surplus first to other City Departments, **then** to the Region and **other** Area Municipalities, Boards and Commissions, and **finally** to other public agencies within the Co-operative Purchasing Group. **Where possible a price should be paid.**

If, after this process, there are still goods or equipment to be disposed of, then the Manager of Purchasing or designate may cause them to be sold through sealed bids or public auction.

No employee, elected official, member of the immediate family of any employee or elected official, or agent on behalf of any employee or elected official, shall bid on the sale of any goods or equipment whether by sealed bids, public auction or otherwise.

1994 May 10

Only those municipalities and public agencies within the Co-operative Purchasing Group which have adopted policies similar in content and intent to this Policy shall be permitted to participate in the disposal of their assets through any public auction sale or sealed bid process to be conducted by the City of Hamilton.

For the purpose of this policy:

"employee" shall mean any employee, appointed official, or director, of the Corporation of the City of Hamilton, its Local Boards, or the Hamilton Entertainment and Convention Facilities Inc., and;

"immediate family" shall mean any parent, step-parent, spouse, common law spouse, same sex spouse, child, step-child, brother, sister, step-brother, or step-sister.

b) That all municipalities, and public agencies within the Co-operative Purchasing Group which have participated in the City of Hamilton's disposal of surplus goods or equipment by sealed bid or public auction be advised of this new policy.

14.0 EMPLOYEES PROHIBITED FROM ACCEPTING REBATES MONEY ETC.

Deleted - Replaced with Human Resources policy to be approved by Council

15.0 PURCHASING POLICY FOR ENVIRONMENTAL PRODUCTS

The Corporation of the City of Hamilton endorses all new policies and programs for the expanded use of products and services that contain the maximum level of post-consumer waste and/or recyclable content that will not significantly affect the intended use of the product or service.

Where goods or equipment are considered to be scrap, before disposal, the department head must so declare. The item(s) are to be separated and identified and then Purchasing is to be notified and the normal bidding process of sealed bids or auction will be used.

CORPORATION OF THE CITY OF HAMILTON
ADDENDUM to POLICY #7

Date of Record: 1994 May 10

Value of purchase (tax inc.)	Purchase order required	Method of Obtaining price	Code	Authority level
$0 to $500	Field purchase order	Dept contact vendor		Department head or designate
$501 to $2,500	purchase order	Dept obtain min 2 quotes, retain documentation. Contact purchasing if codes apply		Department head or designate
$2,500 to $5,000	purchase order	Purchasing obtain min 2 quotes, retain documentation. Contact purchasing if codes apply **verbal quotation.**		Department head or designate
$5,000 to $18,000	purchase order	Purchasing obtain quotes, retain documentation. **verbal or written quotation.**	[1]	Department head or designate
$18,001 to $29,000	purchase order	Purchasing obtain quotes, retain documentation. **sealed quotation.**	[2]	Department head, C.A.O. for City Manager for Parking Authority Chief Executive Officer (CEO) for Hamilton Entertainment and Convention Facilities Inc. (HECFI)
$29,001 to $57,000	purchase order	Purchasing obtain quotes, retain documentation. **sealed quotation.**	[2]	Department head plus two of the following for the City: C.A.O. Mayor or Chairman of the Standing Committee Manager and Chairman of the Board for Parking Authority CEO and Chairman of the Board for HECFI
Over $57,000	purchase order	Contact purchasing **Public tender or proposal.**	[2],[3]	Council approval for City Board approval for Parking Authority Board approval for HECFI

Notes: [1] Provided that the Purchase of Goods or Services does not involve, performance bonds, WCB certifications. If so contact Purchasing.

[2] All emergency expenditures in these categories must be confirmed in writing to the Purchasing Division with reasons.

[3] Department Head to submit a report to the next meeting of the respective Standing Committee explaining the action taken with reasons, costs, etc.

1994 May 10

Appendix "D" referred to in Section 20 of the EIGHTH Report of the Finance and Administration Committee for 1994.

Schedule "A"

City of Hamilton
Treasury

The Public Transportation and Highway Improvement Act
1994 Request for Allocation of Subsidy Monies

Detail of Expenditure (1)	Estimated Total Expenditure (2)	Estimated Eligible Expenditure (3)	Estimated Subsidy Dollars (4)
Normal Application			
Maintenance	10,848,550	9,443,780	4,721,890
Construction	6,337,790	3,309,220	1,654,610
	17,186,340	12,753,000	6,376,500
Supplementary Application			
Construction	1,637,770 *	628,380	314,190
	1,637,770	628,380	314,190
Total Applications	18,824,110	13,381,380	6,690,690

* These expenditures will represent 100% dollars if the Supplementary Application is not approved.

Minutes of Hamilton City Council
Tuesday, 1994 May 31
7:50 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * * *

The Salvation Army Hamilton Temple Ensemble under the direction of Ken Spink played the National Anthem.

* * * * * * * * * * * * *

Father John Murphy, St. John the Baptist Roman Catholic Church led Council in prayer.

PRESENTATION

Milt Lewis and Vincenza Travale, Co-Chairs, Hamilton Sesquicentennial Committee made a presentation to Mayor Morrow.

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

(a) West Hamilton Day - 1994 June 11.

(b) International PBX\Telecommunications Week - 1994 June 5 to 11

(c) Fit Week - 1994 May 27 to June 5.

ADOPTION OF MINUTES

The minutes of the meeting held 1994 May 10 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 May 17 from Jacqueline MacInnis and Norman MacInnis, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 185 Annabelle Street, Hamilton, Ontario.

   Received.

2. Application dated 1994 May 18 from 819802 Ontario Limited, in Trust - Giovanni (John) Fortino, principal officer, Ancaster, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified, for lands located on the north of Wilson Street, between Hughson Street North and John Street North, Hamilton, Ontario.

   Received.

3. Application dated 1994 May 18 from Ontario Secondary School Teacher's Federation, Hamilton, Ontario for a modification to the established "M-14" (Prestige Industrial) District regulations, for property located at No. 95 Unsworth Drive, Hamilton, Ontario.

   Received.

4. Letter dated 1994 May 27 from the Hamilton Harbour Commissioners respecting the Financial Statements of the Hamilton Harbour Commissioners for the year ended 1993 December 31.

   Received.

5. Letter dated 1994 May 31 from the Beasley Neighbourhood Association regarding the Ferguson Avenue Revitalization.

Received.

6. Letter from the Westdale B.I.A. requesting hanging baskets for their business area.

Received.

* * * * * * * * * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Special Committee to Administer the Hamilton-Scourge Project be now considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - NINTH REPORT

Section 4 Re: Green Fees - Canadian Football Hall of Fame Golf Tournament

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

* * * * * * * * * * * *

Section 11 **Re: Green Fees - Hamilton YWCA\Cadillac Fairview Corporation's Fourth Annual "Mayor's Celebrity Golf Classic"**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 23 **Re: Selling of food and alcoholic beverages - CAVEAT - Bernie Arbour Stadium**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 25 **Re: Selling of food and alcoholic beverages - Festitalia Corp. - Bernie Arbour Stadium**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 26 **Re: Selling of food and alcoholic beverages - P.L.H. Productions Inc. - Harbourfront and Pier 4 Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 28 **Re: Selling of food and alcoholic beverages - Greek Canadian Orthodox Church - Mohawk Sports Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 29 **Re: Selling of food and alcoholic beverages - Hamilton Touch Football Assoc. - Mohawk Sports Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 31 **Re: Selling of alcoholic beverages - Hamilton Ladies Slo-Pitch Assoc and Hamilton Press Club - Globe Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 32 **Re: Selling of alcoholic beverages and bbq - Gilkson Community Council**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 34 **Re: Selling of food and alcoholic beverages - Regional Municipality of Hamilton-Wentworth - Harbourfront Park, Pier 4 Park, Bayview Park and Eastwood Park.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 35 Re: Playgrounds - reducing staff hours

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 37 Re: Selling of food and alcoholic beverages - Hamilton Hornets Rugby Football Club - Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT

Section 11 (a) (i) (b) Re: Payment of fees regarding land severance applications.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 11 (a) (i) (b) of the Ninth Report of the Planning and Development Committee for 1994 be amended to delete the word "non" before the word "refundable". **CARRIED.**

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Section 11 Re: Land severance application of one, two or three lot developments.

It was moved by Alderman Agostino and seconded by Alderman Drury that Section 11 of the Ninth Report of the Planning and Development Committee for 1994 be referred back for one month. **CARRIED.**

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Section 19 Re: Site Plan Control Application DA-94-10 Re: 22 Head Street.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 19 of the NINTH Report of the Planning and Development Committee for 1994 respecting Site Plan Application DA-94-10 be deleted. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - NINTH REPORT

Section 2 Appendix "A" Re: John Flaherty - Appointments To and Terminations From Permanent Positions.

It was moved by Alderman Ross and seconded by Alderman Anderson that Page D-11 of Appendix "A" as referred to in Section 2 of the Ninth Report for 1994 of the Finance and Administration Committee be amended by deleting the information respecting the appointment of Mr. John Flaherty, and inserting in lieu thereof the following:

Name: Mr. John Flaherty
Status: I
Classification: Forester II(D-18)
Department: Public Works
Reason Hired: Replacing Mr. I. MacKenzie - promoted, March 28/94
Salary Schedule: $37,510.72
Effective Date: April 30/94

CARRIED.

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Section 13 Re: Furniture for Fire Department

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Agro, Copps, Jackson, Merling, Anderson. -6.

CARRIED.

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Section 14 Re: Lighting of Market

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agro. -1. **CARRIED.**

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Section 15 Re: General maintenance improvements in City Hall.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Kiss. -1. **CARRIED.**

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Section 17 Re: City Hall Space Study

It was moved by Alderman Charters and seconded by Alderman Cooke that Section 17 of the Ninth Report of the Finance and Administration Committee for 1994 be amended by adding the following after the words "City Hall" in subsection (b): subject to the approval of the Finance and Administration Committee and City Council. **CARRIED.**

SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT

ACTING MAYOR FOR THE MONTH OF JUNE, 1994

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman Wm. McCulloch be appointed Acting Mayor for the month of June, 1994. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee and the Special Committee to Administer the Hamilton-Scourge Project, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-33, A-34.
C-24, C-25, C-26, C-27.
D-20, D-21.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman D'Amico in the chair. (second reading).

A-33, A-34.
C-24, C-25, C-26, C-27.
D-20, D-21.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted:

A-33, A-34.
C-24, C-25, C-26, C-27.
D-20, D-21.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-33, A-34.
C-24, C-25, C-26, C-27.
D-20, D-21.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:45 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1994 May 31

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1994 and respectfully recommends:

1. That permission be granted to the Interim Director of the Culture and Recreation Department to issue a Complimentary Family Membership as a prize for the Hamilton Challenger Baseball Association Annual Raffle.

2. That permission be granted to the Interim Director of the Culture and Recreation Department to issue a Complimentary Family Membership plus 25 fitness visits as a prize for the National Fitweek Promotion, being held on 1994 May 27 to June 5 by the City of Hamilton, Culture and Recreation Department and local fitness clubs/agencies.

3. That approval, as required by Section 11 of the Parks By-law 77-221, be given to the Calvin Christian School to sell food and beverages in conjunction with their District Field Day being held at Mohawk Sports Complex Track, on 1994 June 3, subject to the following terms and conditions:

   (a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

   (b) That the Calvin Christian School comply with all sections of the Parks By-law 77-221.

4. That permission be granted to the Interim Director of the Culture and Recreation Department to charge green fees on a buy two (2) get one (1) free basis for the Canadian Football Hall of Fame Golf Tournament to be held at King's Forest Golf Course on 1994 July 15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

5. (a) That the Centre Français Hamilton Inc. be granted permission to host the French Canadian National Day, 1994 June 26, from 12:00 o'clock noon to 6:00 o'clock p.m. at Pier 4 Park, subject to the following terms and conditions:

   i. That proof of $3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

   ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

   iii. That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

   iv. That the applicant enter into a licence agreement satisfactory to the City Solicitor; and,

   (b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

6. (a) That Creative Arts Inc. be granted permission to host the Annual Festival of Friends Festival, 1994 August 5 to August 7, in Gage Park, subject to the following terms and conditions:

i. That proof of $3 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

iii. That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(b) That Creative Arts Inc. enter into a Licence Agreement satisfactory to the City Solicitor; and,

(c) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

7. (a) That Scouts Canada-Hamilton Wentworth be granted permission to host the Annual Victoria Day Weekend Camporee, 1994 May 21, 10:00 o'clock a.m. to 6:00 o'clock p.m. at Waterfront Park subject to the following terms and conditions:

i. That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

iii That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

iv. That the applicant enter into a licence agreement satisfactory to the City Solicitor; and,

(b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

8. (a) That Cruzaders Car Club be granted permission to host their "50 Flashback Cruise Nights", at Waterfront Park from 6:30 o'clock p.m. to 10:00 o'clock p.m. on 1994 May 13, May 27, June 10, July 1 (in conjunction with July 1st Celebrations), 1994 July 22, August 5, August 19, September 2 and September 30, subject to the following terms and conditions:

   i. That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

   ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

   iii. That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

   iv. That the applicant enter into a licence agreement satisfactory to the City Solicitor; and,

   (b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

9. (a) That the North End Children's Centre be granted permission to host their Fundraising Carnival, 1994 July 7 to July 10, 10:00 o'clock a.m. to 6:00 o'clock p.m. at Pier 4 Park, subject to the following terms and conditions:

   i. That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

   ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

   iii. That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

   iv. That the applicant enter into a licence agreement satisfactory to the City Solicitor; and,

(b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

10. (a) That the Private Home Child Care Providers Association of Hamilton Wentworth be granted permission to host the Fun Day Carnival, 1994 June 18, 11 o'clock a.m. to 4:00 o'clock p.m. at Gage Park, subject to the following terms and conditions:

i. That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

iii. That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

iv. That the applicant enter into a licence agreement satisfactory to the City Solicitor; and,

(b) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

11. That permission be granted to the Interim Director of the Culture and Recreation Department to charge green fees on a buy two (2) get one (1) free basis for the Hamilton YWCA/Cadillac Fairview Corporation's Fourth Annual "Mayor's Celebrity Golf Classic", to be held at Chedoke Golf Club on Friday, 1994 September 9.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

12. That approval be given to the Interim Director of the Department of Culture and Recreation to participate in the Regional Environmental Services Department Open House on 1994 June 11 and offer free admission to all visitors at the Hamilton Museum of Steam and Technology.

13. That approval be given to the Interim Director of the Department of Culture and Recreation to apply for a Section 25 grant under the Federal Department of Employment and Immigration program to hire a field assistant for the archaeology program at Dundurn Castle.

14. That approval be given to the Interim Director of the Culture and Recreation Department to process an application for a part time assistant for the Hamilton Museum of Steam and Technology under the Ontario Ministry of Education and Training Futures Program.

15. That approval be given to the Interim Director of the Culture and Recreation Department to apply for two (2) summer museum positions under the Ontario Training and Adjustment Board - Social Services Employment Program.

16. (a) That the Building Commissioner be authorized to issue a demolition permit for the property at 306 Rymal Road East; and,

    (b) That the cost for demolition be charged to Account No. CH5X921 00102 (Reserve for Property Purchases).

17. (a) That the existing lease between the City of Hamilton and E. Hadfield be terminated by the City upon 120 days written notification effective after Council approval and that demolition of the structure located at 48 Holly Street take place upon the City receiving vacant possession and costs for the demolition be charged to Account No. CF5590 429407001 (Land Acquisition - Compensation Crown Point East - McAnulty - Phase I); and,

    (b) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease.

18. (a) That the existing lease between the City of Hamilton and L. MacDonald be terminated by the City upon 120 days written notification effective after Council approval and that demolition of the structure located at 50 Holly Street take place upon the City receiving vacant possession and costs for the demolition be charged to Account No. CF5590 429407001 (Land Acquisition - Compensation Crown Point East - McAnulty - Phase I); and,

    (b) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease.

19. (a) That the City of Hamilton enter into a Lease Agreement with Malcolm Bethune for farming purposes, to rent 57.08 acres, more or less, of land at the Mount Hamilton Cemetery, at an annual rental fee of $1,541.16 ($27. per acre) including estimated realty taxes of $1,884.23, and said revenue be credited to Account No. CH44118 63001 (Rental Cemeteries); and,

(b) That the Lease commence on 1994 May 1 for a period of one (1) year and terminate on 1995 April 30; and,

(c) That the City Solicitor be authorized and directed to prepare the necessary lease.

20. That a purchase order be issued to Taro Aggregates, Stoney Creek, in the amount of $76,000. plus applicable taxes for the supply and delivery of Aggregates to Turner Park, being the lowest of nine tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Turner Park Development Account No. CH56103 62910.

21. (a) That approval be given to enter into a contract with as P.B.K. Architects and Engineers Ltd. as the Prime Consultant for the Inch Park & Parkdale Arenas, Renovations and Additions, for a contract amount of $ 256,000. (Includes $15,085. for GST); and,

(b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant; and,

(c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

22. That an agreement satisfactory in form and substance to the City Solicitor be entered into with Patricia Foss and John Lewis for the accession of their sculptures, "Change Room" and "The Player", into the collection of the City of Hamilton for the Chedoke Twin Pad Arena, for a cost not to exceed $21,250. from the Account No. CF5306 709041012.

NOTE: Drawings of the two sculptures are available for viewing in the office of the Arts Co-ordinator.

23. (a) That approval, as required by Section 24 (1) of the Parks By-law 77-221, be given to sell food and alcoholic beverages on the occasion of the CAVEAT 3rd Annual Celebrity Slo-Pitch Classic to be held at Bernie Arbour Stadium on 1994 June 24, subject to the following terms and conditions:

    i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted in advance naming the City as co-insured with a cross liability endorsement; and,

    ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

    iii. That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board of Ontario; and,

    iv. That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicants expense; and

    (b) That permission be granted to reduce the rental fee by 50% for the CAVEAT 3rd Annual Celebrity Slo-Pitch Classic to be held at Bernie Arbour Stadium on 1994 June 25.

    Recorded vote.

    YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

    NAYS: Alderman Jackson. -1. **CARRIED.**

24. That permission be granted to the Interim Director of the Culture and Recreation Department to reduce the rental fee by 50% for the Festitalia Soccer Tournament to be held at Mohawk Sports Park on 1994 September 10 and September 11.

25. That approval, as required by Section 24 (1) and Section 5 (b) of the Parks By-Law 77-221, be given to the Festitalia Corporation to sell food and alcoholic beverages on 1994 August 14 from 11:00 o'clock a.m. to 8:00 o'clock p.m. at Harbourfront Park, subject to the following terms and conditions:

(a) That proof of $3 million General Liability Insurance for Property Damage and Bodily Injury and $5 million Liquor Liability Insurance, naming the City as co-insured with a cross liability clause be provided; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(c) That alcoholic beverages (beer only) be served in a confined area of the Park as per the site plan, upon receipt of approval of the Liquor Licence Board; and,

(d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(e) That the Concessionaire placed at Harbourfront Park be allowed to remain open throughout the picnic, as per the vendor contract agreement; and,

(f) That the event organizers enter into a Licensing Agreement satisfactory to the City Solicitor; and,

(g) That the event organizers be allowed to charge $3./person and $5./family for the admission to assist with covering costs and to make a donation to the Spectator's Summer Camp Fund, "Fresh Air Fund For Kids"; and,

(h) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

26. That approval, as required by Section 24 (1), Section 5 (b), Section 11 (a) and Section 36 (a) and (b) of the Parks By-law 77-221, be given to P.L.H. Productions Inc., o/a Hart Productions to sell food and alcoholic beverages and to park vehicles on 1994 August 19, 5:00 o'clock p.m. to 10:00 o'clock p.m. and 1994 August 20 and August 21, 10:00 o'clock a.m. to 6:00 o'clock p.m., at Harbourfront and Pier 4 Park, subject to the following conditions:

(a) That proof of $5 million General Liability Insurance for Property Damage and Bodily Injury, including various hazards, and Liquor Liability Insurance be submitted 30 days in advance, naming the City as co-insured with a cross liability clause; and,

(b) Owned and Non-Owned Watercraft Liability to a minimum of $5 million per occurrence be provided; and,

(c) Owned Automobile coverage (OPF 1) minimum of $5 million per occurrence be provided; and,

(d) Tenant Legal Liability in the amount of $5 million per occurrence be provided; and,

(e) Garage Liability in the amount of $5 million per occurrence be provided; and,

(f) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(g) That alcoholic beverages (beer only) be served in a confined area of the park, as per the site plan (fenced area), upon receipt of the Liquor Licence Board; and,

(h) That special duty officers and/or marine police as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(i) That P.L.H. Productions, o/a Hart Productions enter into a Licence Agreement satisfactory to the City Solicitor; and,

(j) That the applicant not restrict admittance to the general public for the use of Pier 4 Children's Play area within the park; and,

(k) That permission to allow admission price of $8. per/person/day. with a special weekend pass of $13. and $18. for a "Gold" bleacher seat be charged; and,

(l) That the applicant notify and adhere to the regulations of the Hamilton Harbour Commission; and,

(m) That event organizers adhere to the Public Works/Parks Division Signage Guidelines/specifications for advertising and promoting events; and,

(n) That the concessionaire stationed in the park remain open as per the vendor contract agreement; and,

(o) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

27. (a) That permission be granted to I.M.G. Circus Corporation (Garden Brothers Circus) to use the Mountain Arena from 1994 June 22 to June 26, for eleven performances subject to the following terms and conditions:

i. The Licence Fee to be paid by the Promoter to the City shall be $850. per performance; and,

ii. The cost of casual labour and SOCAN music tariffs are the responsibility of the Promoter; and,

iii. The Promoter will furnish at its own expense, the complete personnel, publicity, advertising, stage settings, stage hands, spotlights, spotlight operators, production and presentation of performances. The Promoter also agrees to provide police protection as deemed necessary by the Interim Director of Culture and Recreation and the Hamilton-Wentworth Chief of Police; and,

iv. Arrangement and payment for animal waste dumpsters shall be the responsibility of the Promoter; and,

v. The Promoter agrees not to do or permit any act which might offend against any statute or regulation of any competent authority or whereby the policies of insurance of the City might be endangered or the right, including copyright, of any other person might be offended; and,

vi. The Promoter agrees to indemnify the City against damages, claims or losses alleged or actually suffered by reason of such act, including actions for liable and slander; and,

vii. The Promoter will provide proof of three million dollars of public liability insurance coverage, with the City named as additionally insured with cross liability endorsement and severability of interest; and,

viii The Promoter agrees to promptly repair all damages caused to the Mountain Arena building, grounds, chattels and equipment caused by spectators, participants, the Promoter, its agents or contractors, or to pay the full cost of same; and,

ix. The Promoter, its agents and employees shall not arrive at the Mountain Arena earlier than 8:00 o'clock a.m. on June 21 and shall vacate the premises no later than 12:00 o'clock noon on 1994 June 27; and,

x. Performance Schedule:

June 22, 23 and 24	4:15 p.m. and 7:30 p.m.
June 25	11:00 a.m., 3:30 p.m. and 7:30 p.m.
June 26	1:00 p.m. and 4:30 p.m.; and,

(b) That the City enter into a Licence Agreement with I.M.G. Circus Corp. (Garden Brothers Circus) satisfactory to the City Solicitor.

28. That approval, as required by Section 24 (1) and Section 5 (b) of the Parks By-law 77-221, be given to the Greek Canadian Orthodox Church to sell food and alcoholic beverages on 1994 August 19, 5:00 o'clock to 11:00 o'clock p.m. and 1994 August 20 and August 21, 11:00 o'clock a.m. to 11:00 o'clock p.m. at Mohawk Sports Park, subject to the following terms and conditions:

(a) That proof of $2 million General Liability Insurance for Property Damage and Bodily Injury and $5 million Liquor Liability Insurance, naming the City as co-insured with a cross liability clause be provided; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(c) That alcoholic beverages (beer only) be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board; and,

(d) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(e) That the event organizers enter into a Licensing Agreement satisfactory to the City Solicitor; and,

(f) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

29. That approval, as required by Section 24 (1) and Section 5 (b) of the Parks By-law 77-221, be given to the Hamilton Touch Football Association to sell food and beer at Mohawk Sports Complex on 1994 June 4 and June 5, subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board; and,

(d) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

30. (a) That approval, as required by Section 11 of the Parks By-law No. 77-221, be given to the Ridge Raiders Drum and Bugle Corps to sell food and beverages in conjunction with their Drum and Bugle Competition being held at Sackville Hill Park on 1994 June 25, subject to the following terms and conditions:

i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided; and,

ii. That Ridge Raiders Drum and Bugle Corps comply with all sections of the Parks By-law No. 77-221; and,

(b) That approval be given to the Ridge Raiders Drum and Bugle Corps to charge an admission fee of $5. per person to off-set costs incurred by sponsoring this event.

31. That approval, as required by Section 24 (1) of the Parks By-law 77-221, be given to the organizations as follows:

Hamilton Ladies Slo-Pitch Association Inc.
Globe Park - 1994 May 28 and May 29

Hamilton Press Club - Globe Park - 1994 June 11 and June 12

to sell alcoholic beverages at the above locations subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted in advance naming the City as co-insured with a cross liability endorsement; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up etc.); and,

(c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board of Ontario; and,

(d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(e) That the Concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

32. That approval, as required by Section 24 (1) and Section 5(b) of the Parks By-law 77-221, be given to Gilkson Community Council to sell alcoholic beverages and barbecue subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted in advance naming the City as co-insured with a cross liability endorsement; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up etc.); and,

(c) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board of Ontario; and,

(d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

33. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Interim Director of the Culture and Recreation Department to host Canada Day Fireworks Display on a barge off the new Hamilton Waterfront Park at dusk on 1994 July 1, subject to the following conditions:

(a) That proof of $5 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted 30 days in advance by the fireworks company, naming the City as co-insured with a cross liability endorsement; and,

(b) That the City of Hamilton contract qualified Fireworks Supervisor, Hands Fireworks Company and that Hands Fireworks Company enter into a Licensing Agreement satisfactory to the City Solicitor; and,

(c) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(d) That the concessionaire stationed at the park be allowed to remain open throughout the event as per the vendor contract; and,

(e) That the City of Hamilton notify and adhere to the regulations of the Hamilton Harbour Commission; and,

(f) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

34. That approval, as required by Section 24 (1), Section 5 (b), Section 11 (a) and Section 36 (a) and (b) of the Parks By-law 77-221, be given to the Regional Municipality of Hamilton Wentworth to sell food and alcoholic beverages and to park vehicles on 1994 July 22 to July 24, 12:00 o'clock noon to 11:00 o'clock p.m. at Harbourfront, Pier 4 Park, Bayview Park and Eastwood Park subject to the following terms and conditions:

(a) That proof of $5 million General Liability Insurance for Property Damage and Bodily Injury, including various hazards and Liquor Liability Insurance be submitted 30 days in advance, naming the City as co-insured with a cross liability clause; and,

(b) Owned and Non-Owned Watercraft Liability to a minimum of $5 million per occurrence be provided; and,

(c) Owned Automobile coverage (OPF 1) minimum of $5 million per occurrence be provided; and,

(d) Tenant Legal Liability in the amount of $5 million per occurrence be provided; and,

(e) Garage Liability in the amount of $5 million per occurrence be provided; and,

(f) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(g) That alcoholic beverages (beer and wine only) be served in a confined area of the park, as per the site plan, upon receipt of approval of the Liquor Licence Board; and,

(h) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(i) That the concessionaire placed at Harbourfront Park be allowed to remain open throughout the festival, as per the vendor contract agreement; and,

(j) That the event organizers notify and adhere to the regulations of the Hamilton Harbour Commission; and,

(k) That the Region of Hamilton Wentworth enter into a Licence Agreement satisfactory to the City Solicitor; and,

(l) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

35. (a) That Department of Culture and Recreation playground staff hours be reduced by one hour per day (closing at 1600 hrs); and,

(b) That one (of two) seasonal position of Playground Area Supervisor in the Department of Culture and Recreation be eliminated and the responsibilities assumed by current Program Organizers.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1. **CARRIED.**

36. (a) That, Sport Subsidy in the total amount of $21,800. as detailed in Appendix "A" attached hereto, be approved for the Hamilton Minor Hockey Council for the 1993/94 playing season; and,

(b) That Sport Subsidy in the amount of $1,000. be approved for the Hamilton Sports Council subsidy to assist with operating expenses; and,

(c) That these expenditures be financed from the current budget Sports Subsidy Account No. CH53105 70040; and,

(d) That only the Low Income Subsidy amount, not to exceed $5,000. or 50% of the cost to the Hamilton Minor Hockey Council (whichever is less) from the Sports Subsidy Account be considered in the 1995 current budget estimates.

37. That approval as required by Section 24 (1) of the Parks By-law 77-221, be given to the Hamilton Hornets Rugby Football Club to sell food and alcoholic beverages at Mohawk Sports Park on 1994 June 8 subject to the following terms and conditions:

(a) That proof of $2 Million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted in advance naming the City as co-insured with a cross liability endorsement; and,

(b) That the Hamilton Hornets Rugby Football Club assume responsibility for all labour charges associated with the event (set up, dismantling, clean-up etc.); and,

(c) That alcoholic beverages be sold in a confined area of the Park upon receipt of approval of the Liquor Licence Board of Ontario; and,

(d) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the Hamilton Hornets Clubs expense; and,

(e) That the necessary permits be obtained, at the Hamilton Hornets Clubs expense, from the City's Building Department for the erection of a tent and Liquor Licence Board Special Occasion Permit; and,

(f) That the Hamilton Hornets Rugby Football Club pay to the City a rental fee of $500. for the use of Mohawk Sports Park, two weeks prior to the game.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

38. (a) That the City of Hamilton enter into a joint use agreement with the Hamilton-Wentworth Roman Catholic Separate School Board for 1.29 ha. (more or less) of land located south of Richard Beasley Public School.

The lease agreement will address the following conditions and concerns:

i. Liability concerns should be addressed through the City Law Department; and,

ii. Security problems with respect to the leased premises would be the responsibility of the City; and,

iii. All development and maintenance costs of the athletic field will be the responsibility of the City; and,

(b) That the agreement be in a form satisfactory to the City Solicitor; and,

(c) That the Mayor and City Clerk be authorized to execute the joint use agreement.

39. (a) That the City of Hamilton enter into a one year lease with the Hamilton Board of Education for 2.36 ha. (more or less) of land located at R.A. Riddell School adjacent to Gilkson Park for the sum of $1. per annum to construct and maintain a multi-use court and for use of the existing soccer fields and ball diamonds.

The lease agreement will address the following conditions and concerns:

i. The multi-use court is to be fully enclosed by a 6'0" high chain link fence including a lockable gate; and,

ii. The standard agreement providing for personal liability insurance shall be followed. The Board will have control over the facility and be responsible for the personal liability insurance coverage during school hours. The City will have control over the facility and be responsible for the personal liability insurance coverage at all other times; and,

iii. Signage supporting TRESPASS ACT, 1980, shall be installed. Signage indicating installation funded by the City shall be permitted; and,

iv. All costs for construction and maintenance are the responsibility of the City of Hamilton; and,

v. The Board maintains the right to remove the affected property if required for future Board purposes. All reconstruction work to be the responsibility of the City; and,

(b) That the agreement shall be in a form satisfactory to the City Solicitor; and,

(c) That the Mayor and City Clerk be authorized to execute the lease agreement.

40. (a) That for the purposes of co-ordinating an overall development plan for the portion of Mohawk Sports Park east of the CNR tracks, a Mohawk Sports Park Masterplan Committee be formed and comprised of the user groups listed on Appendix "B" attached hereto and sub-section (b); and,

(b) That staff host a public meeting to solicit public input, to advise the neighbourhood that the City is preparing a Mohawk Sports Park Masterplan and to have appointed to the Committee representation from the neighbourhood and one representative of the Mohawk Sports Park Neighbourhood Association; and,

(c) That various stakeholders as identified in Appendix "B" be invited to name a designate to be on the Mohawk Sports Park Masterplan Committee to facilitate the two-way flow of communication between their respective organization and staff; and,

(d) That this project be undertaken by in-house staff representing the Parks Division of Public Works and the Culture and Recreation Department under direction of the Manager of Parks; and,

(e) That the Chairperson of the Parks and Recreation Committee or his designate, as well as the two Ward Aldermen form part of the Mohawk Sports Park Masterplan Committee.

41. That the installation of creative play structures - new development 1994 schedule be amended to delay the installation of the Shawinigan Play creative play structure from 1994 to 1995 and to advance the Central Park installation from 1995 to 1994.

42. (a) That the Director of the Public Works Department be authorized to proceed with the design and installation of primary sewers in T. B. McQuesten Park; and,

(b) That the design be undertaken by Parker Consultants and the installation by Dufferin Construction Company as part of their work for the construction of the Red Hill Creek Expressway with the Regional Roads Department; and,

(c) That the costs for this work be charged to Account No. CF5200 629254005 for T. B. McQuesten Park Development.

43. (a) That staff be authorized to proceed with the following upgrades at Ivor Wynne Stadium:

i. Update existing sound system to provide extra amplification required, plus game day additions; and,

ii. Install 24 counting turnstiles and make other security and ushering enhancements; and,

(b) That this expenditure, not exceed $140,000., and be financed through the Infrastructure Program; and,

(c) That the requirement of obtaining the 1996 Grey Cup for these projects to proceed, be waived.

44. (a) That the Corporation of the City of Hamilton enter into an agreement with the Hamilton Board of Education for the after-hours utilization of the parking lot located at Dr. Edgar Davey School for users of the Beasley Park Community Centre; and,

(b) That the Law Department be directed to prepare the necessary agreement for execution.

45. That the West Mountain Arenas and Community Centre be officially named "The Chedoke Twin Pad Arena".

46. (a) That the major effort of the New Mum Show Sub-Committee for 1994 will be to put on a Mum Display in the Art Gallery to last approximately from 1994 November 3 to November 20; and,

(b) That this event will be funded by the Mum Show Sub-Committee; and,

(c) That the New Mum Show Sub-Committee be encouraged to continue long term planning for a major Mum Show.

47. (a) That approval be given to enter into contract with G. S. Wark Ltd. of 101-370 York Blvd., Hamilton, as the General Contractor for the Beasley Community Centre, Elgin Street, Hamilton, Ontario. The contract amount will be $243,435. (includes $15,925. of GST); and,

(b) That staff be authorized to expend up to $24,065. in project contingency for unexpended items arising from the renovations; and,

(c) That a contract satisfactory to the City Solicitor be entered into between the City and the General Contractor; and,

(d) That the Mayor and the City Clerk execute the Contract on behalf of the City.

48. (a) That the purchase order issued to Frank Bufalino & Sons Construction Ltd., for the construction of the New Club House at the Hamilton Tennis Club on Duke Street in the amount of $418,500. be increased by $19,260. and that this increased amount be added to the general contingency allowance portion of the contract; and,

(b) That the increased funding be provided from Account No. CF5000 709141006.

49. That the City Solicitor be directed to amend Building Permit By-law No. 93-167 to exempt the West Mountain Baseball and the West Mountain Bocce Associations from payment of $5,730. in building permit fees for the erection of a fieldhouse/public washrooms/indoor bocce building at Olympic Park.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1994 May 24

Appendix "A" as referred to in Section 36 of the NINTH Report of the Parks and Recreation Committee for 1994

1993/94 ESTIMATES/ACTUALS

	TOTAL EXPENSE	H.M.H.C. CONTRIBUTION	CONTRIBUTION SPORTS SUBSIDY
LOW INCOME SUBSIDY	8,900	4,450	4,450
TECHNICAL DEVELOPMENT	11,800	9,450	2,350
CHEDOKE MINOR HOCKEY (Start up Equipment)	30,000	15,000	15,000
AMOUNT TOTALS	$50,700	$28,900	$21,800

Appendix "B" as referred to in Section 40 of the NINTH Report of the Parks and Recreation Committee for 1994

Mohawk Sports Complex User Groups

Hamilton Bat and Ball Council
Hamilton District Soccer
Hamilton Minor Football
Hamilton Board of Education
Hamilton-Wentworth Roman Catholic Separate School Board
Hamilton Hornets
Hamilton Olympic Club/Hamilton Y Harriers
East Mountain Baseball
Hamilton Cardinals

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINTH** Report for 1994 and respectfully recommends:

1. That approval be given to City Initiative 94-A, for a general text amendment to Zoning By-law No. 6593, to permit the temporary use of tents for business purposes, on the following basis:

   (a) That Subsection 4(2) of Zoning By-law No. 6593, as amended, be further amended by deleting the Subsection in its entirety and replacing it with the following:

   4. (2) The use of tents for human habitation or for business or other purposes is hereby prohibited, except as follows:

   (a) The above provision shall not apply to the use of tents for summer camps and for circuses and other like uses of a transient nature;

   (b) The above provision shall not apply to the use of tents for children's play, or for picnics or other such temporary non-business purposes;

   (c) The above provision shall not apply to the temporary use of tents within a "G", "G-1" or "G-2" District, for business purposes, provided that:

   (i) the temporary business uses shall be restricted to accessory uses, only in conjunction with an established permitted use;

   (ii) a temporary business use within a tent shall be permitted for a period not to exceed 120 days annually;

(iii) any tent, or combination of tents, used for temporary business purposes on any one lot, shall not occupy more than 10% of the total number of parking spaces provided on the lot.

(b) That Section 18 of Zoning By-law No. 6593, as amended, be further amended by adding the following paragraph to the end of the existing Subsection 18(3)(vi)(f):

Notwithstanding the above, a fence may be temporarily erected or maintained in conjunction with a tent erected in accordance with Subsection 4(2)(c), to a height of not more than 2.2 m.; and,

(c) That Section 18A of Zoning By-law No. 6593, as amended, be further amended by adding a new Subsection 18A(41), to read as follows:

18A(41) The provisions of Subsection 18A(1) shall not apply to temporary accessory business uses established within a tent in accordance with Subsection 4(2)(c). Furthermore, notwithstanding Subsection 18A(1), the number of required parking spaces may be temporarily reduced on any lot, to provide for a tent for temporary business uses established in accordance with Subsection 4(2)(c).;

(d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(e) That the proposed amendment to Zoning By-law No. 6593 is in conformity with the Official Plan for the Hamilton Planning Area.

2. That approval be given to Zoning Application 93-42, Ashok Kumar, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for single-family dwellings in conjunction with lands to the west, for property located at the rear of 1094 Upper Sherman Avenue, shown on the attached map marked as Appendix "A", on the following basis:

(a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Map E-27A for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. That Zoning Application 93-43, Ashok Kumar, owner, requesting an Official Plan Amendment to establish a new Special Policy Area to permit limited commercial uses, including offices, and a modification to the established "AA" (Agricultural) District, to permit limited commercial uses on the lands located at the front of 1094 Upper Sherman Avenue, shown the attached map marked as Appendix "B", be denied for the following reasons:

(a) The proposed uses are not compatible with existing and proposed residential development in the surrounding area; and,

(b) It conflicts with the intent of the approved Neighbourhood Plan in that the lands are designated "Single and Double Residential"; and,

(c) There is an adequate supply of commercially zoned lands in the neighbourhood to meet the needs of residents of the community; and,

(d) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law.

4. That approval be given to Zoning Application 94-07, Homes By DeSantis Inc. (In Trust), prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, to permit the development of sixteen (16) townhouse units for lands located at 819 Upper Paradise Road, as shown on the attached map marked as Appendix "C", on the following basis:

(a) That the subject lands be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District; and,

(b) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-Law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Map W-27C for presentation to City Council; and,

(c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,

(d) That the Gilkson Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double Residential" to "Attached Housing".

5. That approval be given to City Initiative 90-F respecting the parking standards for commercial development in the Central Business District, and the "Cash-in-lieu of Parking Policy", on the following basis:

(a) That the present parking requirements for commercial development in the Central Business District be maintained; and,

(b) That the "Cash-in-lieu of Parking Policy" be maintained; and,

(c) That the Committee of Adjustment be requested to not approve any applications for reduced parking requirements in the Central Business District where the "Cash-in-lieu of Parking Policy" is an option.

6. That City Council authorize and direct the City Solicitor to request Special Legislation which would extend the provisions of the Demolition Control By-law to all heritage properties designated under the Ontario Heritage Act, regardless of their use.

7. That the Building Department be solely responsible for the function of providing contractors for the cutting of grass and removal of debris on private property, pursuant to the authorities contained in By-Law No. 84-35 which is enforced by the Building Department, effective 1994 June 1.

8. That subject to approval from the Province of Ontario for start-up funds for the Barton Street Development Corporation as well as an allocation of $5,000,000. for implementation of the Barton Street Development Programme:

(a) That the Building Department be directed to prepare the terms and conditions for the Barton Street Community Development Corporation; and,

(b) That the Law Department be directed to prepare the Letters of Incorporation for the Barton Street Development Corporation; and,

(c) That the Treasury Department be directed to prepare the Books of Account for the Barton Street Development Corporation; and,

(d) That prior to the establishment of the Barton Street Development Corporation and approval of a Board of Directors, that an interim Barton Street Implementation Committee be established with the following membership:

Building Department, Chairman
Mayor Morrow
Two Aldermen, Ward Three
One representative from the Ministry of Economic Development and Trade
One representative from the Ministry of Housing
One representative from the Ministry of Municipal Affairs
One representative from the Hamilton Arts Council
One representative from the Hamilton Artists Inc.
One Landlord from the Barton Street Business Improvement Area
One Tenant from the Barton Street Business Improvement Area
One Landlord, outside the Barton Street Business Improvement Area
One Tenant, outside the Barton Street Business Improvement Area
One representative from the Social Planning and Research Council
One representative from St. Matthew's House
One representative from the Planning Department, Public Works Department and the Housing and Loans Division, Building Department
(Total of 18 Members)

9. That the concept plan for the revitalization of Ferguson Avenue between Barton and Cannon Streets attached hereto and marked as Appendix "D" be approved for implementation of the roads, sidewalks and curbs under the Local Improvement Act.

10. (a) That City Council give approval to the "Intent to Designate" St. George's Anglican Church and Sunday School at 10 Tom Street as a property of historical and architectural value, as outlined in the Reasons for Designation attached hereto and marked as Appendix "E", pursuant to the provisions of the Ontario Heritage Act, 1983; and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

11. That on land severance applications of one, two or three lot developments:

(a) That the Land Division Committee be informed that the City of Hamilton requires as a condition of approval of such applications:

(i) That the applicant, prior to the granting of Consent to a severance, enter into and register on title to the land being developed, a Lot Grading Agreement with the City of Hamilton satisfactory to the Building Commissioner, incorporating the following requirements:

(a) That the applicant's engineer prepare satisfactory to the Building Commissioner and have attached to the Agreement, a detailed grading plan of each separate parcel; and,

(b) That the applicant's payment of fees be as follows:
$153. per parcel for grading inspection
$350. administration fee per Agreement
A **refundable** security of $2,000. per parcel to be refunded when lot grading certified completed; and, AMENDED.

(c) Agreement to give the City of Hamilton an easement to enter the land to complete the approved grading; and,

(d) That the applicant complete the grading within six months of insulation inspection date or the City of Hamilton has the right to complete the grading; and,

(e) That the Security Deposit be released and Lot Grading Agreement discharged once the grading certification has been received and accepted by the Building Commissioner.

(ii) That the applicant's lawyer prepare and register the Lot Grading Agreement incorporating the City of Hamilton's requirements, and the applicant's lawyer shall certify land ownership and registration of the Agreement, and its easement, to the City; and,

(iii) That the said Lot Grading Agreement be in addition to any other conditions of the City of Hamilton, its Roads, Planning and other Departments submitted to the Land Division Committee.

(b) That upon notification from the Building Commissioner that the City has received from the applicant's engineer confirmation that the grading, as approved, has been installed:

(i) That the City Clerk be authorized to execute a discharge of the Lot Grading Agreement; and,

(ii) That the balance of the security received by the City that is not required for enforcement, be refunded to the applicant without interest.

(c) That the Building Commissioner be directed to submit with the Building Department's annual adjustments to its user fee schedule for Council approval, adjustments, if required, to the fees and security provided herein; and,

(d) That the Building Department staff complement be increased by one Customer Service Representative. This position will remain vacant until such time as revenues are sufficient to fund the costs. REFERRED BACK FOR ONE MONTH.

12. That the Building Commissioner be authorized to issue a demolition permit for:

    (a) 454 Burlington Street East
    (b) 48 Holly Avenue
    (c) 1630 Upper Gage Avenue

13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, one hundred and fifty dollars ($1,150.) be approved for Beryl Boax, 83 Cheever Street, Hamilton. The interest rate will be 8 per cent amortized over 2 years.

14. That a loan increase of $161.. be approved for Maria Sousa, 25 Oxford Street, under the Hamilton Emergency Loan Programme. The total loan is now $482.

15. (a) That the request by Ginfil Construction Limited, to remove part-lot control from Block 30 of Registered Plan No. 62M-750, to allow for the creation of five (5) single detached residential lots, be approved, subject to the following:

        (i) That the owner/applicant submit to the Roads Department for approval, a detailed grading plan showing existing and proposed grades as well as the location and design of vehicular turnarounds for each proposed lot; and,

        (ii) That the owner/applicant be required to install dual private drain and water service connections to each proposed lot prior to final approval of the part-lot control by-law; and,

        (iii) That the owner/applicant be required to enter into a Modified Subdivision Agreement with the City of Hamilton prior to development of any portion of the subject lands.

    (b) That a by-law to remove part-lot control from Block 30 of Registered Plan No. 62M-750, be enacted by Council; and,

    (c) That following enactment of the by-law mentioned in (b) above, that the Regional Municipality of Hamilton-Wentworth, as delegates of the Minister of Municipal Affairs, be requested to grant approval to the by-law and endorse said approval on the by-law; and,

(d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, that the City Solicitor be directed to prepare a by-law to repeal the said by-law for presentation to City Council.

16. That, in accordance with the requirements of the Ontario Heritage Act, a Heritage Permit be issued for the removal of the enclosed pedestrian bridge linking the Canadian Westinghouse Head Office Building with a Westinghouse building to the north and the restoration of the original facade, as shown on Appendix "F" attached hereto, under the condition that Heritage Planning staff approve of the choice of appropriate materials for the proposed restoration work.

17. That a Heritage Permit be issued for the following alteration, in accordance with the requirements of the Ontario Heritage Act: a reduction in the width of the platform canopy by two feet on either side in order to provide the horizontal clearance required by CP Rail for its freight trains at the Hamilton GO Centre on Hunter Street East (former T.H. & B Station).

18. (a) That an additional Commercial Loan in the amount of twenty thousand, six hundred and thirty five dollars ($20,635.) be approved for John Mouskos for the property at 981-991 King Street West. The interest rate will be 3 3/8 percent amortized over ten years; and,

(b) That a Commercial Loan increase in the amount of seven thousand, one hundred and five dollars ($7,105.) be approved for John and Helen Mouskos for the property at 1023 King Street West. The interest rate will be 2 3/4 percent amortized over ten years.

19. **DELETED.**

20. That leave be granted to introduce the following Bills:

(a) C-24 A By-law to remove Block 30 of Registered Plan Number 62M-750 from Part Lot Control

(b) C-25 A By-law to repeal By-law No. 92-242 and By-law No. 92-235 respecting land located at the south-east corner of Stone Church Road East and Upper Wentworth Street

(c) C-26 A By-law to amend Zoning By-law No. 6593 respecting lands located west of Pritchard Road between Stone Church Road East and Rymal Road East

(d) C-27 A By-law to designate the Gartshore-Thomson Building in Pier 4 as a Property of Historic and Architectural Value and Interest

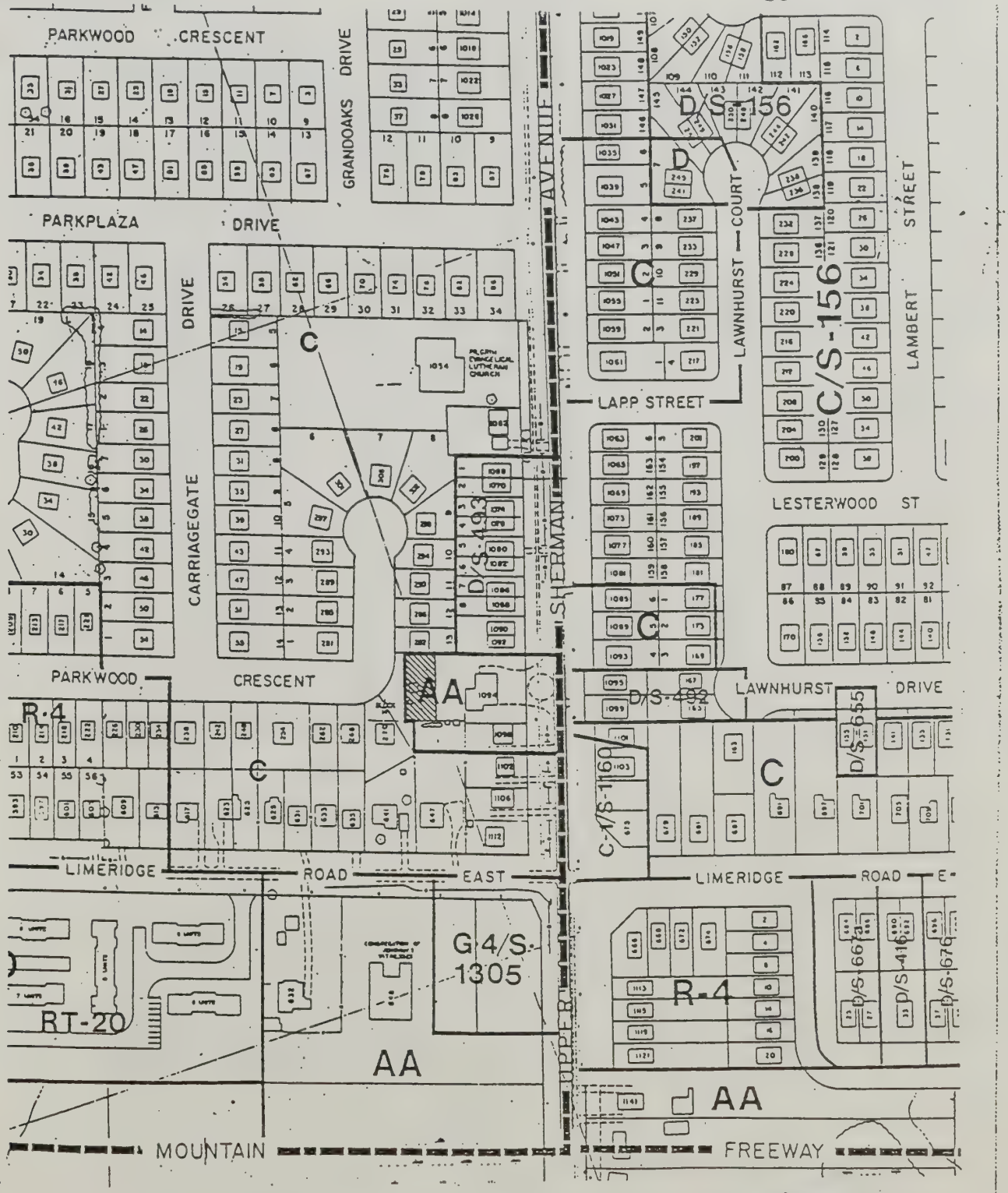
RESPECTFULLY SUBMITTED,

ALDERMAN DON DRURY,
CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Touzel
Acting Secretary

1994 May 25

Appendix "A" referred to in Section 2 of the NINTH Report of the Planning and Development Committee for 1994

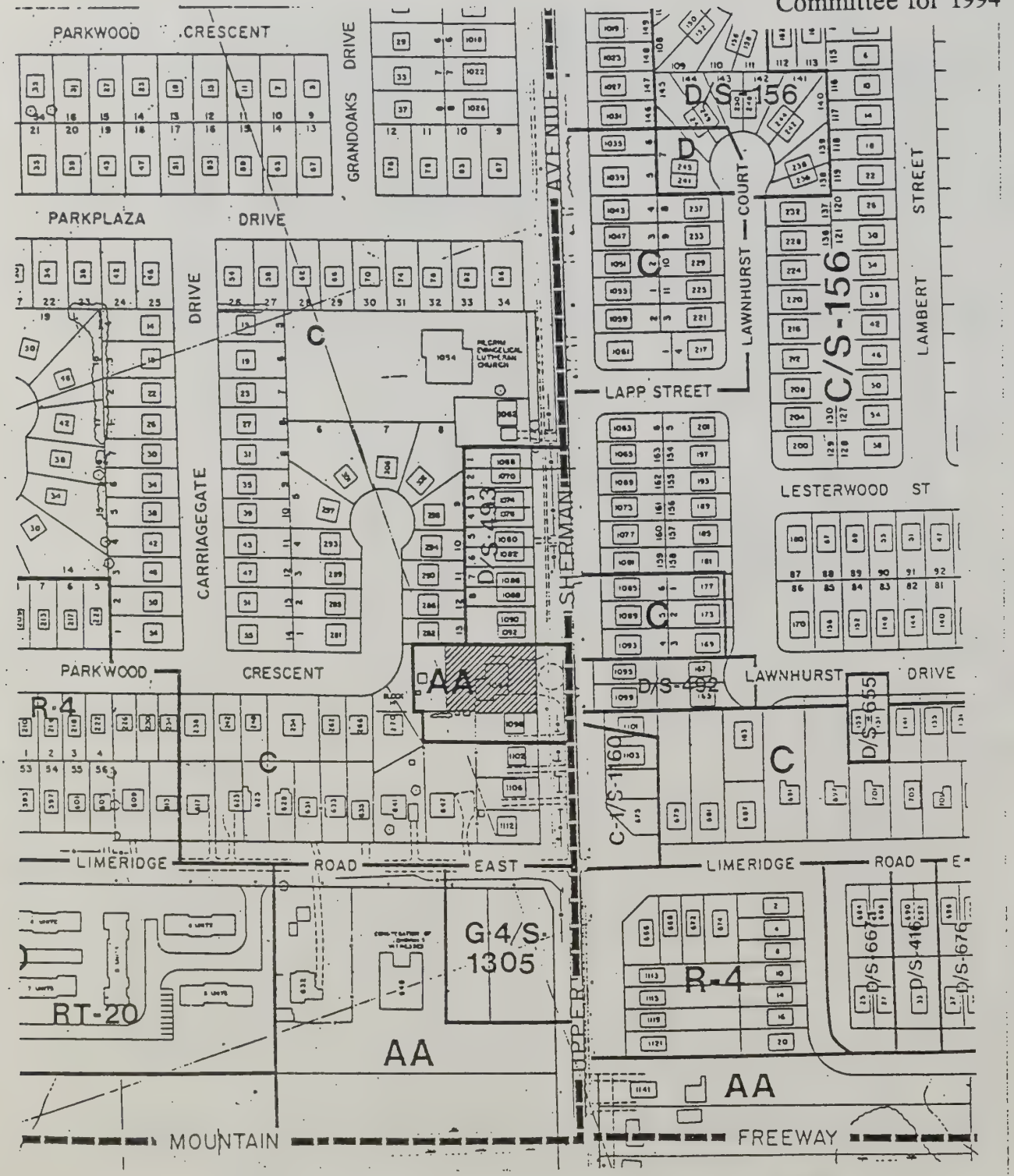


Legend

Site of the Application

ZAC-93-42

Appendix "B" referred to in Section 3 of the NINTH Report of the Planning and Development Committee for 1994

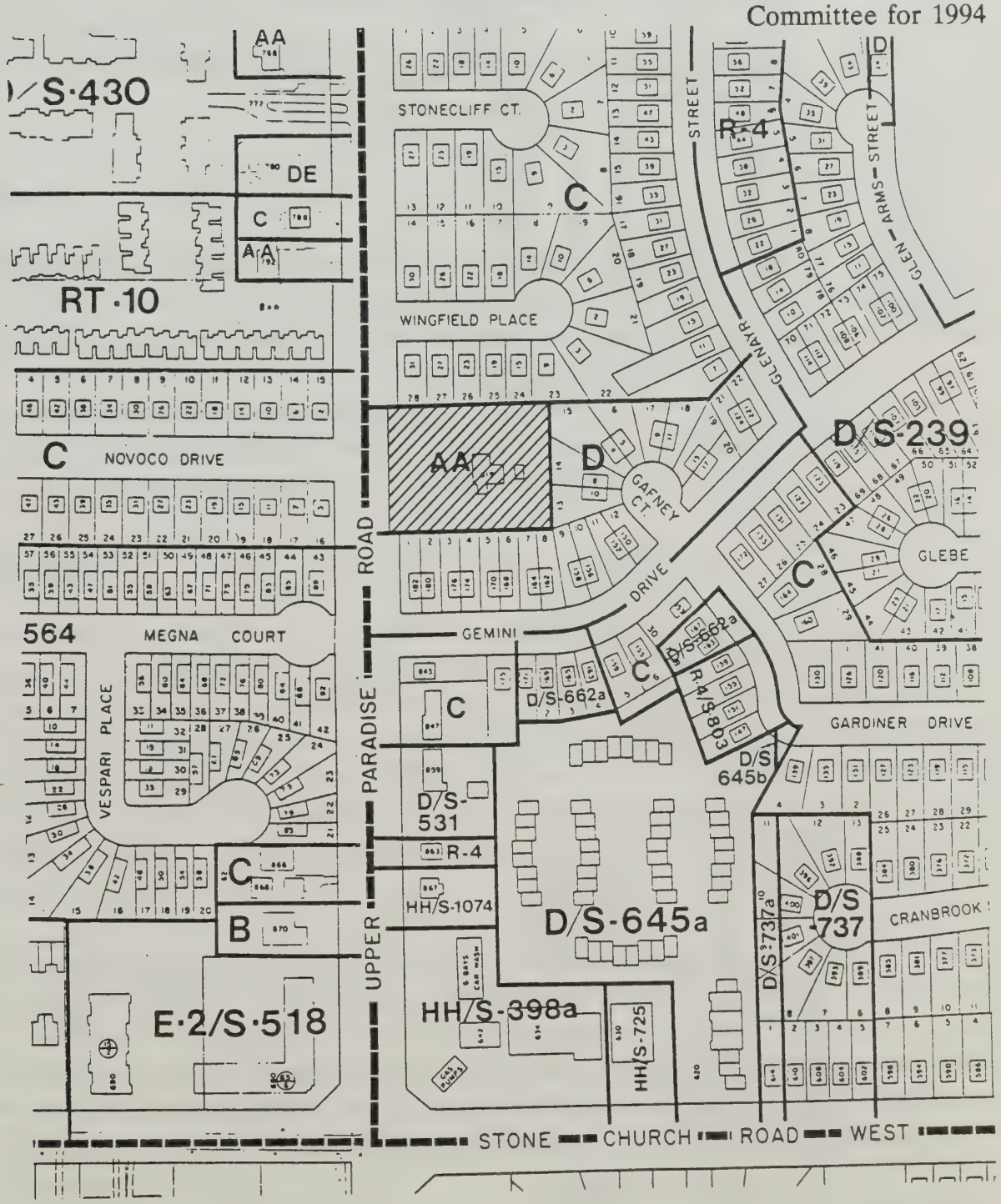


Legend

Site of the Application

ZAC-93-43

Appendix "C" referred to in Section 4 of the NINTH Report of the Planning and Development Committee for 1994

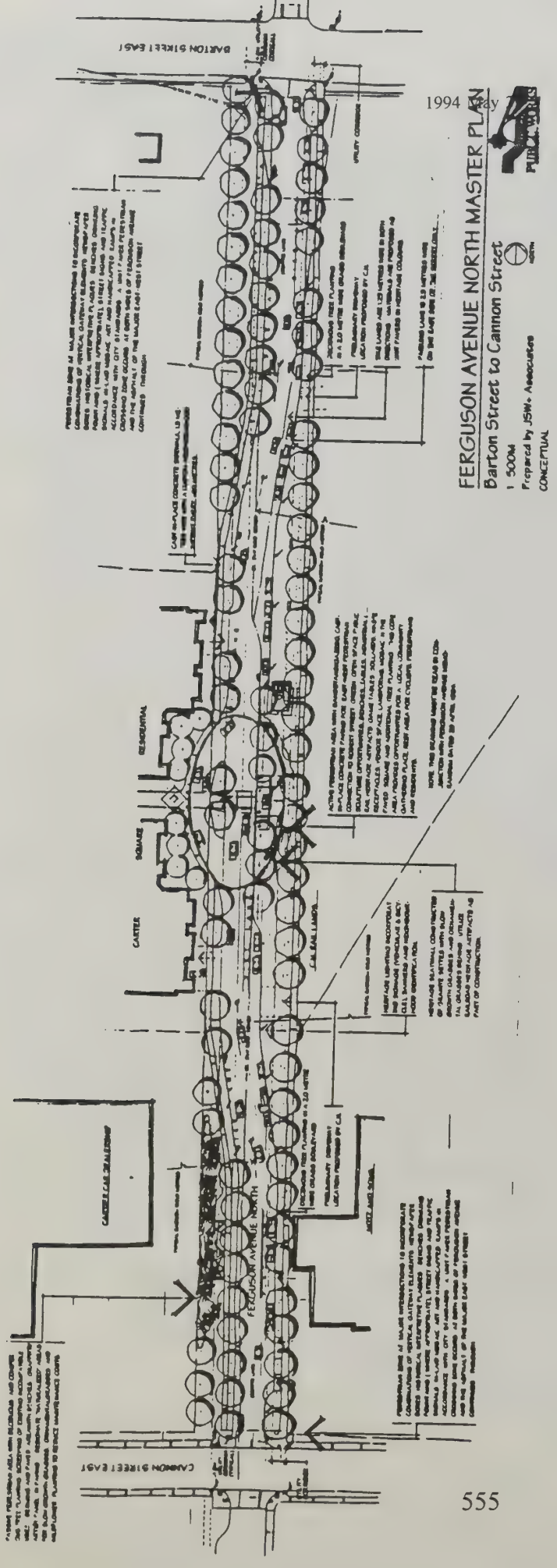


Legend

ZAC-94-07

Site of the Application

Appendix "D" referred to in
Section 9 of the NINTH Report
of the Planning and Development
Committee for 1994



1994 May 31

REASONS FOR DESIGNATION

St. George's Anglican Church and Parish Hall

10 Tom Street, Hamilton

Context

Built in 1890, St. George's Anglican Church is situated at the north-west corner of Tom Street and Strathcona Avenue North between Victoria Park and Dundurn Park. This attractive, unpretentious Gothic Revival church and its adjacent Sunday school/parish hall fit comfortably into the surrounding late 19th/early 20th century residential neighbourhood, with its pleasant mix of modest one-storey frame houses and larger two-storey brick dwellings. The low-rise character of the church setting is interrupted only by the apartment tower to the south-east of St. George's, built on the large site of the former Semmens & Evel Casket Company.

Architecture

Built in the Gothic Revival style, St. George's is typical of the Anglican parish churches erected in the late 19th century to serve Hamilton's expanding neighbourhoods. The characteristic steeply-pitched roof, belfry, buttressed brick facade, and pointed-arched windows of St. George's can also be found in St. Luke's in the north end (1889); St. Mark's (1878) and St. John the Evangelist (1892) in the south end; and St. Matthew's (1887, demolished) and St. Peter's (1892, later rebuilt) in the east end. Although simple and unadorned, this form of the gothic parish church has its roots in the rich tradition of English church architecture.

Credited to Hamilton architect J. H. Young, the church was constructed in 1890 and extended easterly by two bays in 1902, creating a new facade on Strathcona North with corbelled brick decoration and a triple gothic window. The interior sanctuary consists of one, entirely open space, featuring exposed roof trusses, and some fine stained-glass windows. In 1925, the entrance vestibule was added to the front facade. Taken altogether, the pleasing simplicity of design and the balance of proportions make St. George's an architecturally distinguished neighhourhood landmark.

In 1911, the Reverend Frederick E. Howitt, noted both locally and internationally for his work in religious education, undertook the construction next door of a major Sunday School/Parish Hall. Set back from Tom Street, the Sunday School building is a tall, brick structure comparable to the church in height and scale. Its exterior treatment is unusual with elaborate brick corbelling on the gable front and widely spaced Tudor-arched windows; the interior Sunday School layout consists of a large, two-storey open room containing classrooms a

mezzanine on three sides. Although the church schoolhouse was a popular addition in the 1890's, St. George's example is unusually large for the size of the church; as a free-standing church school, it is a relatively rare building type today. Formerly accomodating as many as 900 children, the school stands as a testimony to the value that St. George's parish placed on education.

These two brick buildings, church and school, are situated at right angles to each other around a grassed forecourt. Together, they form an interesting architectural complex which enhances the urban character of the neighbourhood.

History

Opened as St. George's Chapel of Ease, this church was built to service parishioners in the west end of the Parish of All Saints, located at the corner of King and Queen. Only three years later, St. George's became a separate parish, defined as the area westward from Locke and Locomotive (Ray, north of York) Streets to the Ascension (Hamilton) Cemetery and from Main Street to the harbour. By the turn of the century, St. George's Church was an important institution within the thriving West End neighbourhood.

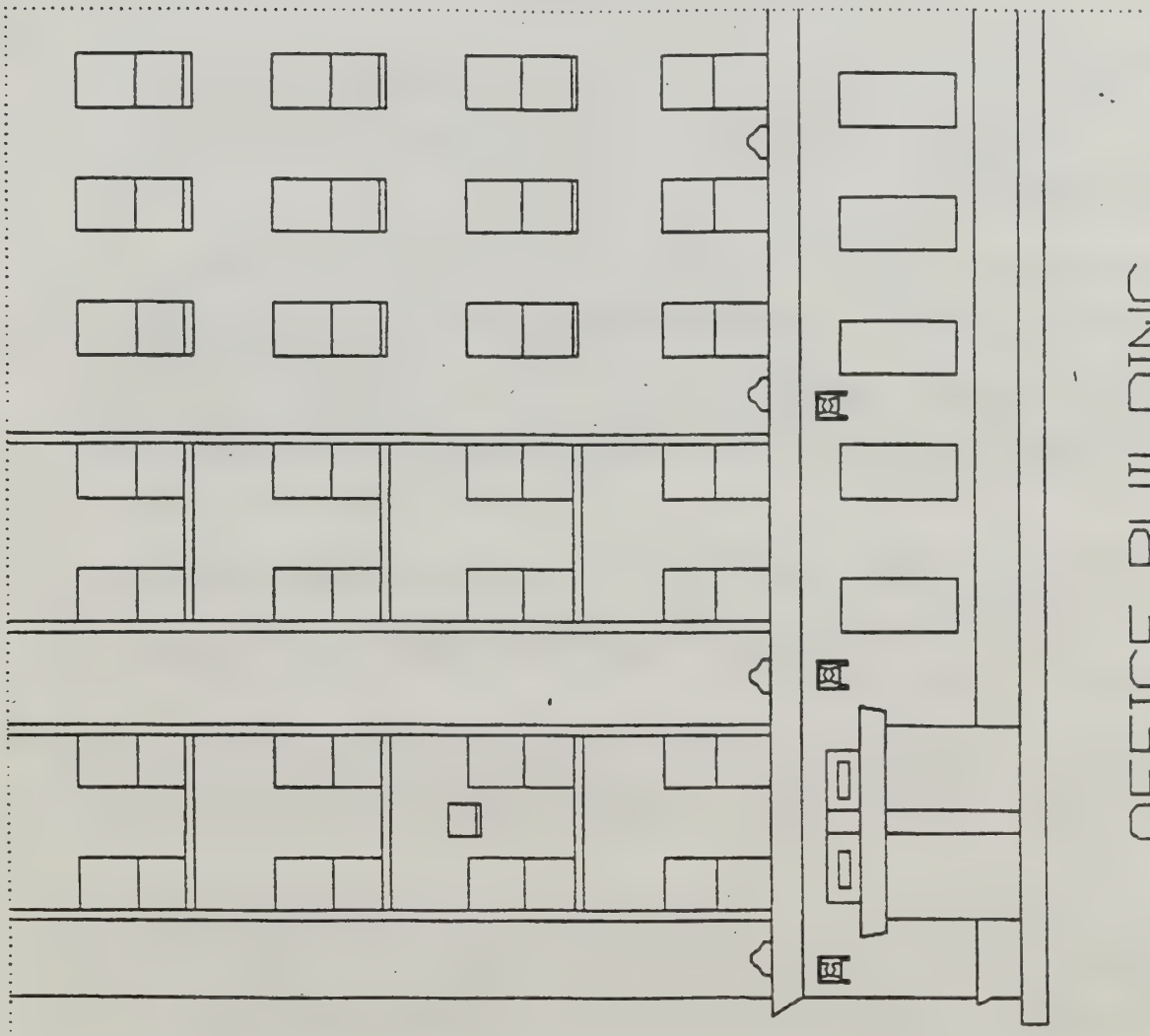
The period of major expansion for St. George's Church and Parish corresponds to the thirty-one year ministry of its third rector, Reverend Frederick E. Howitt, appointed in 1895 and made a canon in 1914. St. George's prominence within Hamilton's Anglican community may be largely attributed to his dedicated and inspirational service. As a gifted preacher and teacher, Canon Howitt attracted large audiences to regular services at St. George's and gave religious instruction to classes throughout the city. Moreover, Howitt's influence extended far beyond the local Anglican community through his work as a missionary and speaker across Canada and the United States.

Another prominent figure in the history of St. George's was its sixth rector, the Reverend Donald H. MacLennan (1941-1966), who made a substantial contribution to the missionary and religious education work begun by Canon Howitt and subsequently associated with St. George's.

Designated Features

Important to the preservation of St. George's Anglican Church are the original features of all four facades of the church, including the brick masonry walls and stone foundation, buttresses, belfry, pointed-arched windows with stone sills, the stained glass windows, doors; the interior sancturay, including the walls, windows, interior roof trusses and original wood panelling; and all four exterior facades of the adjacent Sunday School/Parish Hall, including walls, windows, and the interior open space with its classrooms and mezzanine.

Appendix "F" referred to in
Section 16 of the NINTH Report
of the Planning and Development
Committee for 1994



OFFICE BUILDING
286 SANFORD AVE. N.
(Lower East Corner of Building, North Side)

PROPOSED
LAYOUT

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1994 and respectfully recommends:

1. (a) That the conveyance by the City for $1. of the Hydro property known as 284 Sherman Avenue North, being composed of Part of Lot 8, Concession 1, in the former Township of Barton to the Hamilton Hydro-Electric Commission, be approved and completed and the funds derived from the conveyance be credited to Account No. CH 4X999 00102 (Reserve for Property Purchases - Other Revenue); and,

   (b) That the City Solicitor be authorized to prepare the necessary documents; and,

   (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

2. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 May 18, attached herewith and marked Appendix "A", be approved.

3. (a) That approval be granted to the Royal Bank of Canada to use the City Hall forecourt on Tuesday, 1994 June 28 from 9:00 a.m. to 2:30 p.m. for a registration area and barbecue in conjunction with the Ride for Easter Seals fundraising event; and,

   (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

4. (a) That approval be given to the action taken by the City Clerk in authorizing the Canadian Polish Congress to use the west end of City Hall's second floor foyer from Tuesday, 1994 May 24 to Friday, 1994 May 27 to set up a display to celebrate the 50th Anniversary of the Battle of Monte Cassino, Falaise and the Warsaw Uprising; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

5. (a) That approval be given to Tele-Touch, a United Way Agency, to set up a display highlighting the Tele-Touch services on the first floor of Hamilton City Hall from Monday, 1994 July 4 to Friday, 1994 July 29; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

6. That approval be given to the action taken by the City Clerk in authorizing the use of Room 219 from 12:00 noon to 1:00 p.m. on Thursday, 1994 May 19 by the Mayor's Race Relations Committee for the purpose of holding a press conference requesting a public inquiry into the circumstances of Rob Gentles' death at the Kingston Penitentiary.

7. For the information of the members of City Council, the Finance and Administration Committee have appointed Robert Brooks to serve on the Keep Hamilton Clean Committee for a term to expire 1996 November 30.

8. (a) That the 1993 Financial Report of the Corporation of the City of Hamilton, which has been forwarded to all members of City Council and is available from the Secretary upon request, be received; and,

(b) That the City Treasurer arrange to publish on one occasion the required 1993 financial information, based on the audited report, in The Hamilton Spectator as soon as possible, but in any event, within sixty days of receiving the audited statements and in accordance with regulations of the Ministry of Municipal Affairs.

9. (a) That the City continue to manage its investment portfolio, specifically the general fund, reserves, reserve funds, capital funds and trust funds, (with the exception of the Hamilton Public Library Capital Endowment Trust Fund and Special Gift Trust Fund which are managed by the Hamilton Foundation in accordance with the procedures established and approved by the Hamilton Public Library Board) in accordance with the procedures outlined in the Municipal Act; and,

(b) That the overall minimum required credit rating for long term investments be maintained at a level "A" rating and short term investment at a level of "R-1 (low)", as defined by the Dominion Bond Rating Services (DBRS) and Canadian Bond Rating Services (CBRS). The size of investment holdings and minimum credit ratings vary between the Federal Government, Provincial Government, Municipal Government, Schedule I banks, Schedule II banks, and Trust Corporations; and,

(c) That the Treasurer be authorized to enter into an agreement with the City's banker, satisfactory to the City Solicitor, to provide for the safe-keeping and custody of securities for the City's investment portfolio; and,

(d) That the Treasurer be authorized to enter into a Securities Lending agreement with the City's banker to generate additional income to reduce the costs of (c) above.

10. (a) That the position of Supervisor of Subsidies (1.0 FTE), non-union salary grade "J", be declared redundant and deleted from the complement of the Treasury Department; and,

(b) That the position of Budget Analyst (1.0 FTE), non-union salary grade "L" be reclassified to Revenue Officer (1.0 FTE) non-union salary grade "K" ($47,412.56 -$55,811.08 per annum); and,

(c) That the position of Expenditures Analyst (1.0 FTE) be created and added to the complement of the Treasury Department, classified in non-union salary grade "M" ($40,640.60 - $47,819.20 per annum) and posted as a career development position, for internal applicants only.

11. That the Hamilton Firefighters Drum Corps. be invited to represent the City of Hamilton at the 1994 Grey Cup Parade being held 1994 November 27 in Vancouver, on an equal cost shared basis between the City and the Drum Corps. up to a City's share amount not to exceed $18,000.

12. (a) That approval be given for the hosting of an Arts and the Cities' Ontario Region Meeting/Symposium in the Council Chambers, City Hall, on 1994 June 11; and,

(b) That approval be given for a City contribution from the Civic Receptions and Delegate Hosting Budget for hosting purposes in the amount of $3,000. from Account CH 55314 84010.

13. That a purchase order be issued to R.C. Dawson, Hamilton, in the amount of $77,587.69, including all applicable taxes for the supply, delivery and installation of furniture at Fire Station 4, Macassa Park, being the only acceptable of eleven tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender. Funds available in Fire Station 4, Macassa Park Account No. CF 5200 489241009.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Agro, Copps, Jackson, Merling, Anderson. -6.

CARRIED.

14. That the following Market Lighting Policy be adopted:

(a) That all lighting in the Market, including stall lighting, ceiling lighting, loading dock lighting, electrical conduit, switches, receptacles, Uni-strut and chain is the property of the Corporation of the City of Hamilton; and,

(b) That no person will be allowed to install, hang, and plug in any other light fixture; and,

(c) That no person will be allowed to remove, alter, paint, change or renovate any lighting throughout the Market; and,

(d) That all lighting in the Hamilton Farmers' Market is the responsibility of the Building Operations and Maintenance Division of the Property Department. The responsibilities include all maintenance, repairs, ballast replacement, tube replacement, and electrical supply; and,

(e) That there will be no exception to the above-noted Policy.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agro. -1. **CARRIED.**

15. (a) That the Director of Property be authorized to proceed with the following general maintenance improvements in City Hall:

(i) The replacement of carpeting in Committee Rooms 233 and 219 at an estimated cost for labour only of $2,400.; and,

(ii) The construction of an eight foot (8') extension to the existing meeting table and a new secretarial desk in Room 219 at a cost estimated at $2,500.; and,

(iii) The replacement of carpeting in the Mayor's office, the office of the Executive Assistant to the Mayor and adjacent Administrative space at an estimated cost of $14,500., which also includes expenses to correct subfloor deficiencies; and

(b) That the cost of undertaking these maintenance improvements be charged to Capital Budget Accounts - City Hall Accommodation Requirements.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Kiss. -1. **CARRIED.**

16. (a) That the proposed reduction package, "Prop 9 - Reduction of Caretakers Hours" in the sum of $87,517. as submitted by the Property Department to the Committee of the Whole for approval on 1994 February 11, be replaced with the alternative savings package of equal value funded from the overall budget of the Property Department, as presented to the Finance and Administration Committee and available from the Secretary upon request; and,

(b) That the proposed implementation date of 1994 June 6, for the reduced hours for Caretakers be postponed in order to allow the implementation of the alternative package referenced above.

17. (a) That the Final Report of the City Hall Space Study dated 1994 April 18, prepared by Carruthers Shaw and Partners Limited, as presented to the Finance and Administration Committee and available from the Secretary upon request, be received; and,

(b) That the Chief Administrative Officer and the Director of Property be directed to implement the findings contained in the report as renovations take place within City Hall subject to the approval of the Finance and Administration Committee and City Council; and, **AMENDED.**

(c) That the Carruthers Shaw and Partners Limited account, in the amount of $25,698.42 plus G.S.T. of $1,798.89 for a total amount of $27,497.31 be paid in full and charged to Account No. CF 5000 319041002 (Accommodation Requirements - City Hall).

18. (a) That the Director of Property be authorized and directed to take all necessary and appropriate steps to preserve the City's interests in the Computer Renovation and Relocation Project at Hamilton City Hall, 71 Main Street West, Hamilton, Ontario, including noting the default of the contractor by sending official notices to it and its bonding company; and,

(b) That the Director of Property report back to the Finance and Administration Committee meeting of 1994 June 23, or sooner, on the response of the bonding company regarding its intentions to complete the project or otherwise and that the City Solicitor report on the legal implications of that response; and,

(c) That in the event that arrangements satisfactory to the City are not implemented, that the contract between the Corporation of the City of Hamilton and Memphis-Kendall Builders Inc. of Toronto, for the Computer Renovation and Relocation Project at the Hamilton City Hall, 71 Main Street West be terminated for default, including the contractor's gross delay in construction progress, without proper excuse, and the contractor's apparent failure to protect the City from claims of non-payment by the contractor's subcontractors, despite payment by the City to the contractor, and for other serious breaches of the contract; and,

(d) That the Director of Property list the various construction completion options available to the City and recommend the one most suitable in all circumstances, including budgetary restraints.

19. (a) That the replacement Central Processor Unit be acquired from IBM Canada Limited of Burlington, Ontario (the lowest of 5 proposals), at $21,609. per month for 48 months commencing 1994 July 1 in accordance with their proposal dated 1994 May 10. Funding to be provided from Account CH 56605 26020 (Computer Equipment Rental); and,

(b) That the lease of two IBM series 3390 model 38 disk drives and related equipment be renewed with IBM Canada Limited of Burlington, Ontario (the lowest of 5 proposals) at $8,545. per month for 36 months commencing 1994 July 1 in accordance with their proposal dated 1994 May 10. Funding to be provided from Account CH 56605 26014 (Computer Equipment Rental); and,

(c) That the lease of one IBM 3990 series Access Storage Controller be renewed with Scott Capital Group Inc of Mississauga, Ontario (lowest of 3 proposals) at $691. per month for 36 months commencing 1994 July 1 in accordance with its proposal dated 1994 May 11. Funding to be provided from Account CH 56605 26014 (Computer Equipment Rental); and,

(d) That the monthly central processor software cost, as supplied by IBM Canada Limited of Burlington, Ontario be increased by $8,750. per month from $34,150. to $42,900. per month effective 1994 July 1. Funding to be provided from Account CH 56005 26020 (Computer Software) and CH 56099 26021 (User Software).

20. (a) That the City of Hamilton renew its membership to the Francophone Association of Municipalities of Ontario for 1994 in the amount of $700.; and,

(b) That funding for this expenditure be charged to the Unclassified Expenditure Account CH 55164 24201.

21. (a) That a purchase order be issued to Nova Quintech, Pierreville, Quebec, in the amount of $703,530., including all applicable taxes, for the supply and delivery of One (1) Combination Fire Apparatus with a 65 foot 3 section Pre-piped Aerial Ladder and Class "A" Pumper Truck, being the only proposal received, in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission; and,

(b) That this expenditure be financed through the Reserve for Replacement of Mobile Equipment Account No. CH 5X502 00101; and,

(c) That a contract be entered into satisfactory to the City Solicitor.

22. (a) That the City decline to accept the Offer to Settle of the Plaintiffs dated 1994 May 12; and,

(b) That the City offer to resolve all outstanding issues in Ontario Court (General Division) Action No. 26723/91 on the following basis:

(i) That the City pay to the Plaintiffs, Rose Dean, Robert Dean and Catherine Carroll the sum of $5,000. inclusive of all claims for damages, interest and costs; and,

(ii) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(iii) That Ontario Court (General Division) Action No. 26723/91 and all cross-claims by and against the City shall be dismissed without costs; and,

(iv) That this Offer shall remain open for acceptance until withdrawn, or until the commencement of trial herein, whichever first occurs.

23. (a) That the City resolve Ontario Court (General Division) Action No. 14726/89 by the payment of $2,500. inclusive of all damages, interest and costs to the Plaintiffs, Mildred and Irvin Springer; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division Action No. 14726/89 be dismissed without costs.

24. (a) That permission be granted for the Cross Canada Bible Relay to use the City Hall forecourt and all other pertinencies, on Monday, 1994 June 6th from 5:00 p.m. to 7:00 p.m., for a welcoming ceremony; and,

(b) That access be provided to the first floor City Hall washrooms; and,

(c) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

25. That leave be granted to introduce the following Bills:

(a) D-20 A By-Law to Authorize 1994 Debenture Projects and Amounts.

(b) D-21 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1994 May 26

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Declan Arneaud	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Ron Baylis	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,764.40	April 18/94
Mr. Patrick Brooks	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Paul Buffett	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. R. Allan - retired Oct. 30/93	$34,234.08	April 18/94
Mr. Michael Cawte	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Gordon Collier	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. G. Dolman - retired, Oct. 26/93	$34,234.08	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

Appendix "A" referred to in Section 2 of the NINTH Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Larry Cosentino	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Mark Crease	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Martin Crowder	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Robert Daiber	I	Probationary Firefighter (N1B)	Fire	Returned to former Position	$34,324.08	April 18/94
Mr. Gary Duckworth	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Geoff Duguay	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Steven Farruggia	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Morris Felicetti	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Dalton Filman	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. John Flaherty	I	Forester II (D-18)	Public Works	Replacing Mr. I. MacKenzie - promoted, March 28/94	$37, 510.72	April 30/94 AMENDED.
Mr. John Flynn	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Patrick Fournier	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

571

1994 May 31

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Thomas Gillies	I	Probationary Firefighter (N1B)	Fire	Replacing Mr. R. Bowman - retired Oct. 26/93	$34,234.08	April 18/94
Ms. Christine Goodenough	I	Customer Service Rep./ Plan Examiner (21-D)	Building	Additional Staff Council Approved February 11, 1994	$37,883.56 to $43,825.60	April 25/94
Mr. Roland Gosselin	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Glen Green	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Randy Gregus	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Haight	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Ms. Susan Hayward	I	Zoning Examiner/ Code Correlator (20-B)	Building	Replacing Mr. E. Begg - retired Sept. 30/94	$37,923.00 to $44,285.80	May 02/94
Mr. David Hitzroth	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 02/94
Mr. Steven Hoar	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Kevin Koch	I	Rink Attendant I (D-16)	Culture & Recreation	Replacing Mr. E. Blainey - retired, Dec. 31/93	$36,780.64	April 25/94

Prepared May 18/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Philip Lepore	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Gregg McKerracher	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. David Mercer	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. A. Roberts - retired, Oct. 28/93	$34,234.08	April 18/94
Mr. Brad Merritt	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Glenn Moore	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. R. Mueller - retired, Oct. 30/93	$34,234.08	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. William Morden	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Michael Newell	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. David O'Reilly	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Robert Parsik	I	Yard Attendant (D-8)	Public Works	Replacing Mr. J. Maracle - retired, March 31/94	$33,862.40	April 30/94
Mr. Domenic Pellegrino	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Tim Rhora	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Keith Ridgewell	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Allan Rochead	I	Street Sweeper/ Flusher Operator (D-14)	Public Works	Replacing Mr. B. Merritt - 2-Man Crew, April 18/94	$36,052.64	May 01/94
Mr. Larry Rouse	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. James Southon	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. S. Botten - retired, Dec. 01/93	$34,234.08	April 18/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Howard St. Anne	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Michael Strifler	I	Rink Attendnt I (D-16)	Culture & Recreation	Replacing Mr. M. Josic - retired, Dec. 31/93	$36,780.64	April 24/94
Mr. Robert Taylor	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.04	April 18/94
Mr. Kevin Theoret	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Ms. Sherry Viau	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

Prepared May 18/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Wansbrough	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. J. Levely - retired, Oct. 31/93	$34,234.08	April 18/94
Mr. Joseph Weber	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Michael Webster	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Barry Wenckstern	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. John Wotta	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 02/94

Prepared May 18/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Ming Yong	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94
Mr. Joe Zizel	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	April 18/94

Prepared May 18/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Arlene Holman	Purchaser/Receiver	H.E.C.F.I.	Retired	12 years, 13 months	April 29/94
Mr. Santi Lolli	Concrete Finisher	Public Works	Retired (Early)	15 years, 11 months	April 29/94
Mr. Ted Szrajber	Maintenance Foreman/Wom	Public Works	Retired (Early)	30 years	April 29/94
Mr. Russ Webb	Sports Groundskeeper 1	Public Works	Retired (Early)	19 years, 10 months	April 29/94

Prepared May 18/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Special Committee to Administer the Hamilton-Scourge Project presents its **FIRST Report** for 1994 and respectfully recommends:

1. That permission be granted to explore the Hamilton and Scourge archaeological sites and surrounding environs for scientific and educational archaeological purposes from 1994 June 9th -12th.

2. That Undersea Research Ltd., Dr. Joseph MacInnis enter into an agreement with the City that is satisfactory to the City Solicitor with respect to explorations of the Hamilton and Scourge archaeological sites and surrounding environs.

3. That Mount McGovern Co. Ltd., Mr. Phil Wright, as the person licensed by the Province of Ontario enter into an agreement with the City that is satisfactory to the City Solicitor with respect to explorations of the Hamilton and Scourge archaeological sites and surrounding environs.

4. That Undersea Research Ltd. and Harbour Branch Research Oceanographic Institution shall carry liability and indemnity insurance, including personal injury coverage, in the amount of five (5) million Canadian dollars with a company authorized to conduct business in the Province of Ontario. The City, the Province and Mr. Phil Wright, Mount McGovern Co. Ltd. shall be named as additional insureds and be indemnified by the Policy. Undersea Research Ltd. and Harbour Branch Research Oceanographic Institution shall indemnify the City, the Province and Mr. Wright, Mount McGovern Co. Ltd. from any acts of omissions of Undersea Research Ltd. and Harbour Branch Research Oceanographic, its employees, officers, directors, and agents.

5. That the City of Hamilton's Consultant's Letter of Engagement with Mr. Phil Wright, Mount McGovern Co. Ltd. be increased by $10,000 as a fixed additional fee to his existing fixed fee of $10,000. The increased fee is for additional archeological services and expenses resulting from the need to provide additional requirements necessary for our Grant Applications to the Federal Government's Department of Communications (D.O.C.) and for his services and expenses on the City's behalf in preparation of Terms and Conditions for the June 9th - 12th Expedition.

6. That the City Solicitor be directed to amend the above existing Letter of Engagement as required.

Respectfully submitted,

S. J. Dembe, Secretary
1994 May 17

ALDERMAN BOB CHARTERS
ACTING CHAIRPERSON

Minutes of the Special
City Council Meeting
Tuesday, June 7, 1994
7:15 o'clock p.m.
Council Chambers, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Agostino - civic business

Mayor R. M. Morrow called the meeting to order.

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It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - SEVENTH REPORT

Installation of stop sign control at the intersection of Duke and Caroline St.

It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Copps that the following Bills be now read a first time:

A-35, A-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Copps that Council move into Committee of the Whole to consider the Bills with Mayor Morrow in the chair.

A-35, A-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole on the Bills, be adopted. -

A-35, A-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws.

A-35, A-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 7:25 o'clock p.m.

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Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1994 June 7
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1994 and respectfully recommends:

1. (a) That all-way stop control be implemented at the intersection of Caroline Street South and Duke Street; and

   (b) That the City Traffic By-law 89-72 be amended accordingly.

2. That leave be granted to introduce the following Bills:

   (a) A-35: A By-law to Amend By-law No. 89-072 to Regulate Traffic.

   (b) A-36: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN,
COMMITTEE OF THE WHOLE

J.J. Schatz, Secretary
1994 June 7

JJS/dg

Minutes of the Committee of the Whole
and Special City Council Meeting
Tuesday, 1994 June 21
6:20 o'clock p.m.
Council Chambers, City Hall

The Council met.

Present: Acting Mayor W. McCulloch
Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Mayor Robert M. Morrow - vacation

Acting Mayor McCulloch called the meeting to order.

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It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole be now considered in Committee of the Whole with Acting Mayor McCulloch in the Chair.

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

COMMITTEE OF THE WHOLE - EIGHTH REPORT

Employment Contract - R. Sugden, Director of Culture and Recreation

Section 1 Re: Contract - Director of Culture and Recreation

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

BILL E-18

It was moved by Alderman Cooke and seconded by Alderman Copps that Bill E-18 be now read a first time.

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Copps that Council move into Committee of the Whole to consider Bill E-18 with Acting Mayor McCulloch in the chair.

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

Recorded vote on Bill E-18.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Copps that the Report of the Committee of the Whole on Bill E-18, be adopted. -

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Copps that Bill E-18, be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.

CARRIED.

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City Council then adjourned at 6:30 o'clock p.m.

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Taken as read and approved.

Acting Mayor W. McCulloch
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1994 June 21
JJS/dg

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **EIGHTH** Report for 1994 and respectfully recommends:

1. That the City of Hamilton's contract with Mr. Robert Sugden, Director of Culture and Recreation, be terminated for cause, effective 1994 June 22nd.

   Recorded vote.

   YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

   NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7.
   CARRIED.

2. That leave be granted to introduce the following Bill:

   E-18: A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

   Recorded vote.

   YEAS: Acting Mayor McCulloch, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Eisenberger, Charters, D'Amico. -9.

   NAYS: Aldermen Drury, Morelli, Agostino, Jackson, Merling, Anderson, Ross. -7. **CARRIED.**

RESPECTFULLY SUBMITTED

ALDERMAN W. MCCULLOCH
ACTING CHAIRMAN,
COMMITTEE OF THE WHOLE

J.J. Schatz, Secretary
1994 June 21

JJS/dg

Minutes of Hamilton City Council
Tuesday, 1994 June 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. Morrow
Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Cooke, vacation

Mayor R. M. Morrow called the meeting to order.

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Samantha Amog sang The National Anthem.

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Reverend Canon David Blackwood, St. Luke's Anglican Church led Council in prayer.

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Mayor R. M. Morrow introduced a delegation from the Town of Racalmuto in Sicily, Italy and the following guests were introduced to the Council: Salvatore Petrotto, Mayor, Rita Burruano, President for Local, Luigi Pinsilli, Controller, Giovanni Salva, Alderman and Luigi Iannelli, Alderman. The purpose of their visit is twofold, as a cultural exchange to their twin City of Hamilton and to attend the "Racalmuto Maria S S Del Monte Festival".

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John Michaluk, President and CEO, Neil Lumsden, Vice-President, Marketing and Sales, Marvin Caplan, President, Downtown B.I.A. were present on behalf of the Tiger-Cat Football Club to promote the 1994 football season. They encouraged all business's and residents to support the Tiger Cats.

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PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the following:

(a) Reverend Canon David Blackwood
(b) Dr. Maria Gabriella Gambacurta, Italian Vice-Consul
(c) Hamilton Transway Girls' Basketball Club, Doug Harrison, Co-ordinator
(d) Italian Canadian Community Involvement Incorporated, Marina Spitale, President
Mary Melfy
(e) St. Jean D. Brefeuf Braves Senior Boys' Volleyball Team
Jos Nederveen, Head Coach
Chris Fox, Principal
Nancy Castura, Team Co-ordinator
(f) Cleveland Bryan
Founder of Bryan's Taekwon-do
(g) Clean World Award to the Keep Hamilton Clean Committee, Ron Volterman, Chairperson and Evelyn Principato, Vice-Chairperson
(h) Robert Van Kleef Taxi Industry Professional Awards and Trophy to:
Peter Eldridge, Executive Administrator/Contributor of the Year
Gerrard MacDonell, Dispatcher/Call Taker of the Year
Michael Bernier, Cab Drive of the Year.

Mayor R. M. Morrow presented on behalf of the Lieutenant Governor of Ontario the Seniors Achievement Award to Isabella Brailley and Gwen Lee.

ADOPTION OF MINUTES

The minutes of the meetings held 1994 May 31, June 7 and June 21 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 June 1 from Constantine, Anna, Mark and Victoria Skypas and Andrew and Irene Dabrowski, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located at the rear of No. 144 Limeridge Road East (south of the proposed Red Hill Expressway and west of Colin Crescent).

   Received.

2. Application dated 1994 June 8 from Frank Ricci, Hamilton, Ontario for a change in zoning from "HH" (Restricted Community Shopping and Commercial) District to "DE-3" (Multiple Dwellings) District, modified for lands at No. 2535 King Street East, Hamilton, Ontario.

   Received.

3. Letter dated 1994 June 13 from Ashok Kumar, Hamilton, Ontario requesting a delay to the passing of By-law for ZAC-93-42 for property at the rear of 1094 Upper Sherman Avenue pending OMB decision on ZAC-93-43 for property at the front of 1094 Upper Sherman Avenue, Hamilton, Ontario.

   Referred to the Planning and Development Committee.

4. Letter dated 1994 June 28 from Yachetti, Lanza and Restivo, Barrister and Solicitors respecting the rezoning of property located at Rymal Road and Garth Street.

   Received.

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Nominating Committee be now considered in Committee of the Whole with Alderman D'Amico in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

Section 12 Re: South leg of King Street.

It was moved by Alderman Merling and seconded by Alderman Eisenberger that Section 12 of the NINTH Report for Transport and Environment Committee for 1994 be amended to add the following as sub-section (d):

(d) That the above noted reconstruction project be approved subject to the appropriate watermain repairs being undertaken by Regional Council; and that the barrier free policy be adhered to; and further that the abutting property owners and business's be consulted.

CARRIED.

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Section 12 Re: South leg of King Street as amended.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 20 Re: Annual Overload Permit - Gordon James

Section 20 Re: Annual Overload Permit - Gordon James

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - TENTH REPORT

Section 9 Re: Selling of alcoholic beverages in Parks.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 29 (b) Re: Installation of 520 seat mobile bleachers - Ivor Wynne Stadium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Eisenberger. -1. **CARRIED.**

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Section 29 (d) Re: Application by the Hamilton Tiger-Cat Football Club for beer at Tiger-Cat football games at Ivor Wynne Stadium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Eisenberger, D'Amico, Ross. -8.

NAYS: Aldermen Kiss, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson. -8. **LOST.**

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Section 30 Re: Rotary Community Service Project - Rail to Trail Maintenance

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson. -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT

Section 1 Re: Contemporary Leisure Canada Inc. - Operate the Chedoke Twin Pad Arena

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Wilson, Charters, Jackson, Merling. -5.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT

Section 2 Re: O.P.A. No. 126 - 44 Greendale Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson. -14.

NAYS: Aldermen D'Amico, Ross. -2. **CARRIED.**

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Section 7 (a) Re: By-law 78-113 - Retaining walls

It was moved by Alderman Drury and seconded by Alderman Kiss that Appendix "G" referred to in Section 7 (a) of the TENTH Report of the Planning and Development Committee for 1994 be amended by replacing it with a revised Appendix "G" in order to add to the Fifth Section as follows:

5. "or, if necessary, a collateral mortgage registered on title," **CARRIED.**

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Section 10 (a) and (b) Re: Demolition Permit - 131 Forest Avenue and 137 Forest Avenue

It was moved by Alderman McCulloch and seconded by Alderman Agro that section 10 (a) and (b) of the Tenth Report of the Planning and Development Committee be referred back.

CARRIED.

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Section 22 (b) Re: Bill C-29: A By-law to amend Zoning By-law No. 6593 respecting Lands located at the rear of 1094 Upper Sherman Avenue.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 22 (b) of the TENTH Report for 1994 of the Planning and Development Committee respecting Bill C-29 for lands located at the rear of 1094 Upper Sherman Avenue, be referred back to the Planning and Development Committee. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

Section 37 Re: Reconstruction - South leg of King St. between John and Hughson Streets

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Anderson, D'Amico. -11.

NAYS: Alderman Jackson. -1. **CARRIED.**

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It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting the awarding of street vendor locations for the balance of 1994. **CARRIED.**

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Section 43 Re: Street Vendor locations

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 43 of the TENTH Report for 1994 of the Finance and Administration Committee:

43. That Street Vendor locations be awarded for the balance of 1994 to the successful proponents, one cart per location, as listed, subject to confirmation of the following:

a) the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,

b) the proposals/bids remain unchanged following the review by the Health Department; and,

c) the proponent enters into a legal agreement satisfactory to the City Solicitor.

NAME	CART LOCATION	PRODUCT	FEE
Helen Pawlowski	S/W Corner of King & James	Sausage/Hot Dogs/Soft Drinks	$1,200
Hanna & Krzysztof Zarzycki	Court House	Sausage/Hot Dogs/Soft Drinks	$ 500
Ewa & Edward Cawricz	Stelco Tower	Sausage/Hot Dogs/Soft Drinks	$1,200
"Willy Dog"	City Hall Forecourt	Sausage/Hot Dogs/Soft Drinks and other products subject to Health Dept. approval	$1,501
"StrEATables" Vending	Pier 4 Park	Sausage/Hot Dogs/Soft Drinks	$1,000
"StrEATables" Vending	Dundurn Park (Pavilion area)	Sausage/Hot Dogs/Soft Drinks or Ice Cream	$ 250
"StrEATables" Vending	N/E Corner James & Wilson	Ice Cream	$ 150
"Mocha Moments"	Standard Life Bldg. (King & Bay)	Gourmet Coffee, Cappuccino, Expresso	$ 250

Recorded vote on Cart Location for Court House and City Hall Forecourt

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - THIRD REPORT

NOMINATING COMMITTEE - SECOND REPORT

ACTING MAYOR FOR THE MONTH OF JULY, 1994

It was moved by Alderman Kiss and seconded by Alderman Eisenberger that Alderman D. Drury be appointed Acting Mayor for the month of July, 1994. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills be now read a first time:

A-37, A-38, A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46.
C-28, C-30, C-31, C-32.
D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Bills, with Alderman D'Amico in the chair. (second reading).

A-37, A-38, A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46.
C-28, C-30, C-31, C-32.
D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the following Bills, be adopted:

A-37, A-38, A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46.
C-28, C-30, C-31, C-32.
D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-37, A-38, A-39, A-40, A-41, A-42, A-43, A-44, A-45, A-46.
C-28, C-30, C-31, C-32.
D-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15

NAYS: -0. **CARRIED.**

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City Council then adjourned at 11:05 o'clock p.m.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, D'Amico, Ross. -11.

NAYS: -0. **CARRIED.**

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1994 June 28

JJS/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1994 and respectfully recommends:

1. That the appropriate By-law to alter Dundurn Street South, south of Aberdeen Avenue by installing a temporary curb stone island within the potion of the street be enacted.

2. That the appropriate By-law to alter Dana Drive/Norrie Avenue Intersection for the purpose of widening the travelled portion of the said streets be enacted.

3. (a) That the appropriate By-law for the closure, retention and sale of portions of Upper Kenilworth Avenue, designated as Parts 1, 13 to 31, on Plan 62R-12931, be forwarded to City Council for enactment; and,

   (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-law.

4. That the School Crossing Guard located at the intersection of Upper Sherman Avenue and Berko Drive/Southampton Drive be removed upon installation of a traffic signal and after an appropriate phase out or training period.

5. (a) That the application of the Hess Village Merchants Association to temporarily close Hess Street South between King Street and Main Street from 9:30 am on Thursday July 14, 1994 to 11:00 p.m. on Sunday July 17, 1994, for the annual Hess Village Jazz Festival, be approved, during the pleasure of City Council provided:

      (i) That approval from Regional Police Services be received; and,

      (ii) That the applicant provide proof of $2,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(iv) That all barricading be supplied by and at the expense of the applicant; and,

(v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer; and,

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services; and,

(b) That authorization be given to the Commissioner of Transportation/ Environmental Services with regard to the application of the Hess Village Merchants Association to place a beer tent on the Hess Street South road allowance from 6:00 pm Thursday July 14, to 11:00 pm Sunday July 17, 1994, for the annual Hess Village Jazz Festival subject to the following conditions:

(i) That approval from Regional Police Services be received; and,

(ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

6. That a proposed road closure, by-law for the closure of Mead Avenue, 40m west of the south leg of Brighton Avenue to vehicular traffic only, be advertised in accordance with the requirements of the Municipal Act.

7. (a) That the City of Hamilton Subdivision Agreement and the City of Hamilton Modified Subdivision Agreement be amended for inclusion of a cash payment of $100.00 as a deposit to ensure registration of the Certificate of Completion of Maintenance of Services; such deposit to be refundable to the Subdivider in whole, or in part, when the Certificate of completion is registered on title and returned to the City; and,

(b) That the cash payment for the registration of the Certificate of Completion for Maintenance of Services be reviewed on an annual basis to ensure that the City of Hamilton collects sufficient security for this item; and,

(c) That the wording of Section XX of the standard City of Hamilton Subdivision agreement and Item 11 of the standard City of Hamilton Modified Subdivision Agreement be subject to the approval of the City Solicitor.

8. (a) That the application of Creative Arts to temporarily make Longwood Road between Franklin Avenue and the Princess Point entrance one way south and to temporarily close Macklin Street from Dufferin Road to Longwood Road, from Thursday, 1994 June 30, at 12:00 noon to Sunday, 1994 July 3, at 11:00 p.m., to hold the annual Earthsong Festival, be approved, subject to the following conditions:

(i) That approval from Regional Police Services be received; and,

(ii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(iii) That all barricading be supplied by and at the expense of the applicant; and,

(iv) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(v) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(vi) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

9. (a) That the management of Crescent Oil be requested to relocate some of the barrels on their property, to allow semi-trailer trucks to load/unload on the property without encumbering the sidewalk or roadway of Railway Street; and,

(b) That the Director of Public Works be authorized to pursue a 50/50 cost sharing arrangement with Crescent Oil for the purposes of beautification of the adjacent roadside areas, in accordance with the City's "Industrial Partners" beautification programme, recognizing the need to forward any proposal details for the consideration of the Transport & Environment Committee; and,

(c) That consideration be given in the West Harbourfront Development Study as to the feasibility of acquiring the Crescent Oil site on Cannon Street West for public use; and,

(d) That the Director of Public Works be authorized to provide mechanical street cleaning services in the vicinity of the Crescent Oil site, on a monthly basis.

10. (a) That the Regional Municipality of Hamilton-Wentworth be requested to postpone the proposed White Goods Collection and CFC Removal demonstration project until 1995; and,

(b) That the Regional Municipality of Hamilton-Wentworth be requested to pursue funding from the Ministry of Environment and Energy to undertake the White Goods Collection and CFC Removal Demonstration Project in 1995; and,

(c) That the Regional Municipality of Hamilton-Wentworth be requested to incorporate future CFC removal costs into the Household Hazardous Waste current budget, starting in the 1995 budget process; and,

(d) That the Regional Municipality of Hamilton-Wentworth consider including the overall management of CFC bearing white goods, including collection within the context of the pending proposal call for solid waste management.

11. (a) That the firm of IMS, Infrastructure Management Services Ltd. be authorized and directed to undertake retesting of approximately 165 lane-km of City Streets at an estimated cost of $39,595.; and,

(b) That the cost of this work be charged to Account CF5200 529442049.

12. (a) That the reconstruction of the paving stone roadway, concrete curbs and repair of paving stone sidewalks on the south leg of King Street between John and Hughson Streets be undertaken as soon as possible during the construction season this year at an estimated cost of $150,000.; and

(b) That the Finance & Administration Committee recommend a method of financing these works; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to reconstruct these works on behalf of the City once all the necessary approvals are received.

(d) That the above noted reconstruction project be approved subject to the appropriate watermain repairs being undertaken by Regional Council; and that the barrier free policy be adhered to; and further that the abutting property owners and business's be consulted.

ADDED.

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

13. (a) That the West Central Branch of the Ontario Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Hamilton Bio Conversion Inc. receiving a Provisional Certificate of Approval for a Waste Disposal Site (Processing), located at 490 Nash Road, Hamilton; provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the MOEE, and that all applicable City By-Laws are complied with fully; and,

(b) That a copy of this report and the corresponding Council resolution be submitted to the West Central Branch of the MOEE for their consideration in the preparation

(b) That a copy of this report and the corresponding Council resolution be submitted to the West Central Branch of the MOEE for their consideration in the preparation of the Provisional Certificate of Approval which would apply to the development and operation of the facility proposed by Hamilton Bio Conversion Inc.

14. (a) That the Transport and Environment Committee approve 43 transit shelter locations in the City of Hamilton from the attached Table 1 as candidate shelter locations for the 1994 HSR Shelter Program; and,

(b) That the HSR install 10 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements; and,

(c) That the remaining candidate shelter locations which do not receive a shelter through the 1994 HSR Shelter Program be considered for future years.

15. (a) That an Offer to Purchase (Highway Closure), duly executed by Pauline Clair Ridzon, on 1994 June 3, and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event no later than 1995 July 5, for the purchase of a portion of land being composed of part of a 3.658 metre (12 foot) wide alleyway, Registered Plan 647, more particularly described as having a width of 1.82 metres (6.0 feet) more or less, by a length of 5.626 (18.46 feet) more or less, and comprising a total area of 10.289 square metres (110.76 square feet) more or less, and designated as Part 4 on Plan 62R-12021, be approved and completed and the funds derived from this sale of $2. be credited to Account No.CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That these lands be sold subject to an easement in favour of Bell Canada over Part 4, Plan 62R-12021; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

16. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials, on 1994 May 24 and scheduled to close on or before 1994 September 8, for the purchase by the Region of Part 4 on Plan 62R-12948, having a frontage of 15.040 metres (49.344 feet) more or less, comprising an area of 43.8 square metres (471.5 square feet) more or less, known municipally as part of 596 Aberdeen Avenue, Hamilton, be approved and completed and the funds derived from this sale of $2 be credited to Account No. CH 4X501 00102 (Reserve for Property Purchase); and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

17. (a) That an Offer to Purchase (Highway Closure), duly executed by Lorne and Moya Fowler, on 1994 May 17 and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event no later than 1995 July 5, for the sale of part of Lot 407 and 3.658 metres (12 foot) wide alleyway, Registered Plan 505, having a frontage of 3.658 metres (12 feet) more or less, along the westerly limit of Kenilworth Avenue North, by a length of 36.140 metres (118.57 feet) more or less, being irregular in shape and comprising a total area of 133.915 square metres (1,441.5 square feet) more or less, together with part of Lot 407, Registered Plan 505, having a frontage of .0244 metres (.08 feet) more or less, along the westerly limit of Kenilworth Avenue North, by a length of 34.348 metres (112.69 feet) more or less, and comprising a total area of 2.65 square metres (8.7 square feet) more or less, and designated as Parts 1 and 2 respectively on Plan 62R-11499, and lying directly south of municipal address 433 Kenilworth Avenue North, be approved and completed, and the funds derived from this sale of $2,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

b) That the required deposit cheque in the amount of $200. be held by the Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

18. (a) That the City of Hamilton dedicate a parcel of land to the Regional Municipality of Hamilton-Wentworth for incorporation into the Regional road allowance of Stone Church Road East, said parcel being more particularly described as having a width of 2.135 metres (7.005 feet) more or less, by a length of 24.810 metres (81.398 feet) more or less, and comprising a total area of 47.1 square metres (506.980 square feet) more or less, formerly a portion of Leaway Avenue and designated as Part 1 on Reference Plan 62R-11410; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

19. That the application of C. Cote, agent for the Kinsmen & Kinettes Club of Canada (604 Northshore Boulevard West, Burlington, L7T 1A1), to display a promotional banner across Main Street West in front of City Hall from 1995 August 14 to 1995 August 21, with the message "Return to the Roaring 20's - Welcome Kinsmen & Kinettes", be approved.

20. (a) That in accordance with Section 7.1 of City of Hamilton By-Law 89-72, Mr. Gordon James be given an Annual Overload Permit for the year 1994 for one (1) tractor trailer to travel the following routes: (1) from M.R.I. Shipping at 670 Strathearne Avenue to Burlington Street. (4) from M.R.I. Shipping to Burlington Street to Windermere Road to Waxman Metals Group; and,

(b) That of the $1979.00 total carrying fee, 26% or $514.54 be credited to the Regional Holding Account (for the City of Hamilton), Account No. 25827011 (Overload Permit Fees) and that 74% or $1464.46 be credited to Regional Account No. 46025-302220 (Overload Agreements).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

21. (a) That the following City lands be incorporated into the streets to complete the final street width or to provide access to newly registered subdivisions:

Limeridge Road	Part 1	Plan 62R-12593
Acadia Drive	Part 17	Plan 62R-11096
Acadia Drive	Part 6	Plan 62R-11281
Butler Drive	Part 10	Plan 62R-10568
Harbour Front Drive	Parts 20 & 25	Plan 62R-12134

(b) That the By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Laws.

22. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

"ARROWHEAD HEIGHTS OF RYMAL - PHASE 1", Hamilton

City's Share $ -NIL- Owner's Share $ 86,044.59

" HIGHRIDGE SOUTH - PHASE 2 ", Hamilton

City's Share $ 9,869.80 Owner's Share - $ 589,128.90

" ROSE GARDENS - PHASE 2 ", Hamilton

City's Share $ 29,602. Owner's Share - $ 165,458.

" SANDRINA GARDENS - PHASE 2 ", Hamilton

City's Share $52,680. Owner's Share $277,808.

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements with the Owners of **"Arrowhead Heights of Rymal - Phase 1"**, Hamilton, **"Highridge South - Phase 2"**, Hamilton, **"Rose Gardens - Phase 2"**, Hamilton and **"Sandrina Gardens - Phase 2"**, Hamilton, as well as any other related documents required for these Subdivisions subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered; and,

(d) That in the event the owners wish to proceed prior to registration of the Final Plan and Subdivision Agreement they be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City's share of services in "Highridge South - Phase 2", Hamilton ($ 9,869.80), "Rose Gardens - Phase 2", Hamilton ($ 29,602.) and "Sandrina Gardens - Phase 2" ($ 52,680.), Hamilton, be approved and that the Finance and Administration Committee recommend the source of funding for these projects.

23. (a) That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of the Westdale B.I.A., to temporarily close King Street West between North Oval and Cline Avenue, from 6:00 pm. Friday May 13, 1994 to 11:00 pm. Saturday May 14, 1994, as the applicant fulfilled the following conditions:

(i) The applicant received approval from Regional Police Services; and

(ii) The applicant provided proof of $2,000,000. public liability insurance, naming the City and Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(iii) All barricading, detour signing and traffic control was subject to the direction of Regional Police Services; and,

(iv) All barricading was supplied by and at the expense of the applicant; and,

(v) That temporary road closure signs were installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,

(vi) The applicant ensured that clean-up operations were carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the applicant; and,

(vii) No property owner or resident within the barricaded area was denied access to their property upon request; and,

(viii) All property owners and tenants along the closed portion of the route were notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

(b) That the application of the Westdale B.I.A. to temporarily close King Street West between North Oval and Cline Avenue, from 6:00 pm. Friday September 30, 1994 to 11:00 pm Saturday October 1, 1994, to hold the same event again, be approved, subject to the above noted conditions; and,

24. (a) That the Senior Director of Roads be authorized and directed to reconstruct the Dundurn Street steps from Dundurn Street to Garth Street; and,

(b) That the cost of this work estimated at $540,000. be charged to Account CF 6094 41020.

25. That a purchase order be issued to Cayuga Materials and Construction, Cayuga, for the supply of HLS 030 Hot Lay, HL-3 (HS) asphalt as and when required by the Public Works Department during 1994, being the lowest of 5 tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Stock Materials Account No. CH56197 60999.

26. (a) That the construction of an independent concrete sidewalk on the west side of Upper James Street from Rymal Road to Christopher Drive proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of $82,400. with a City's Share of $44,524. and Owner's Share of $37,876. all as provided in the 1994 portion of the 1994 - 2003 Capital Budget; and,

(b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

(d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

27. (a) That the construction of a finished roadway, concrete curbs and sidewalks on both sides of Ferguson Avenue between Cannon and Bartons Streets proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of $670,000. with a City's Share of $334,049.50 and Owner's Share of $335,950.50 all as provided in the 1994 portion of the 1994 - 2003 Capital Budget; and,

(b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,

(d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

28. (a) That the existing "Permit Parking" regulation on the east side of Locke Street North commencing at a point 103 feet north of York Boulevard and extending to a point 19 feet northerly therefrom be removed; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

29. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Leland Street commencing at Whitney Avenue and extending to the extended north curb line of Merna Avenue; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

30. (a) That a "No Parking, 8:00 am - 12:00 noon, 2nd Thursday of each month, April to November" regulation be implemented on the west side of Avondale Street between Barton Street East and the northerly end; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

31. (a) That a "No Stopping" corner clearance be implemented on the south side of Barton Street West commencing at Greig Street and extending to a point 55 feet westerly therefrom; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

32. (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 108 feet south of Wright Avenue and extending to a point 19 feet southerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Lam Dong Chung, No. 71 Leeming Street; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

33. (a) That a "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation be implemented on the west side of Crawford Drive between Kentley Drive and Hart Place be approved; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

34. (a) That the existing "No Parking" regulation on the east side of Grays Road commencing at Frances Avenue and extending to a point 336 feet northerly therefrom be removed; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

35. (a) That a "Permit Parking" regulation be implemented on the south side of Forest Avenue commencing at a point 128 feet west of John Street South and extending to a point 23 feet westerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Charles Smith, No. 110-57 Forest Avenue; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

36. (a) That the existing "Permit Parking" regulation on the south side of Tom Street commencing at a point 166 feet west of Dundurn Street North and extending to a point 16 feet westerly therefrom, be removed; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

37. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Franklin Road commencing at a point 65 feet west of the west curb line of East 25th Street and extending to a point 80 feet westerly be relocated such that the regulation commences at a point 143 feet east of the east curb line of East 24th Street and extends to a point 80 feet easterly; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

38. (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Orphir Road between Rainbow Drive and Sunrise Drive/Starlight Court be changed to a "No Parking, 8:00 a.m. to 4:30 p.m., Monday to Friday" regulation; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

39. (a) That a "Permit Parking" regulation be implemented on the east side of East 24th Street commencing at a point 240 feet south of Crockett Street and extending to a point 26 feet southerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Mercanti, 81 East 24th Street; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

40. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Dromore Crescent between Sterling Street and Paisley Avenue North, be replaced with a "No Parking" regulation; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

41. (a) That the existing "One Hour Parking Time Limit, 9:00 a.m. to 7:00 p.m., Monday to Friday" regulation on the east side of Gibson Avenue between Barton Street East and the northerly end, be removed; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

42. (a) That an "Alternate Side Parking" regulation be implemented on Caledon Avenue between Aldridge Street and Jameston Avenue such that parking is prohibited:

(i) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,

(ii) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,

(b) That a "No Stopping" regulation be implemented on the north side of Aldridge Street commencing at Caledon Avenue and extending to a point 40 feet easterly therefrom; and,

(c) That a "No Stopping" regulation be implemented on the north side of Aldridge Street commencing at Caledon Avenue and extending to a point 40 feet westerly therefrom; and,

(d) That the City Traffic By-law 89-72 be amended accordingly.

43. (a) That stopping be prohibited on the west side of Strathcona Avenue from Lamoureaux Street to a point 88 feet northerly therefrom; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

44. (a) That the existing "Permit Parking" regulation on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom be removed; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

45. (a) That a "Permit Parking" regulation be implemented on the east side of Paling Avenue commencing at a point 93 feet north of Vansitmart Avenue and extending to a point 22 feet northerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Emerson, 414 Paling Avenue; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

46. (a) That a "No Stopping, Wheelchair Loading only, 8:00 a.m. to 8:00 p.m., 7 days a week" regulation be implemented on the east side of Mary Street commencing at a point 76 feet north of King William Street and extending to a point 20 feet northerly therefrom; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

47. (a) That the existing "Permit Parking" regulation on the north side of Ferrie Street East which commences at a point 224 feet west of Ferguson Avenue North and extends to a point 23 feet westerly therefrom, be removed; and

(b) That the City Traffic By-law 89-72 be amended accordingly.

48. (a) That westbound traffic on Russell Street be required to stop for northbound and southbound traffic on East 27th Street; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

49. (a) That eastbound traffic on Greeningdon Drive be required to stop for northbound and southbound traffic on Manning Street; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

50. (a) That westbound traffic on Giselle Drive be required to stop for northbound and southbound traffic on Lynnette Drive; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

51. (a) That northbound traffic on Horning Drive be required to stop for eastbound and westbound traffic on Lionsgate Avenue; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

52. That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be approved:

Add - Northbound - Nebo Road, east side, 71.5 metres north of the centre line of Rymal Road East (M/B); and

Add - Northbound - Nebo Road, east side, 62.2 metres north of Lancing Drive (M/B); and

Add - Northbound - Nebo Road, east side, 226.0 metres south of Hempstead Drive (M/B); and

Add - Northbound - Nebo Road, east side, 21.0 metres south of Hempstead Drive (N/S); and

Add - Northbound - Nebo Road, east side, 27.2 metres south of the centre line of Stone Church Road East (N/S).

53. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

DINA SANVIDOTTI
CANDISS CORBIN
JACQUELINE MAXWELL
GAIL HABINSKI
WILLIAM SHERRING

(b) That the following appointment as a Parking Control Officer be repealed:

RICHARD MCMILLAN

54. (a) That the existing residential boulevard parking agreement registered as Instrument No. 182811 to the property at No. 60 East 24th Street be discharged, at the property owner's expense; and,

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and,

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

55. (a) That four one-hour parking meters be installed on the west side of Cheever Street between Barton Street East and a point 112 feet northerly therefrom; and,

(b) That the City Traffic By-law 89-72 be amended accordingly.

56. (a) That a Taxi Stand be designated between the hours of 6:00 p.m. to 2:00 a.m., seven days a week on the north side of King William Street commencing at a point 80 feet west of Catharine Street North and extending to a point 38 feet westerly therefrom; and,

(b) That a Taxi Stand be designated between the hours of 9:00 p.m. to 2:00 a.m., seven days a week on the east side of Hess Street South commencing at a point 84 feet south of King Street West and extending to a point 29 feet southerly therefrom; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

57. (a) That the Gourley Neighbourhood be designated as a Neighbourhood Watch Area; and,

(b) That Neighbourhood Watch signs for the Gourley Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,

(c) That the necessary funds be charged to account No. CH-55301-75030 (Neighbourhood Watch Program).

58. That leave be granted to introduce the following Bills:

(a) A-37 A By-law to incorporate Part 1, Plan 62R-12593 into Limeridge Road

(b) A-38 A By-law to incorporate Part 17, Plan 62R-11096 into Acadia Drive

(c) A-39 A By-law to incorporate Part 6, Plan 62R-11281 into Acadia Drive

(d) A-40 A By-law to incorporate Part 10, Plan 62R-10568 into Butler Drive

(e) A-41 A By-law to Parts 20 & 25, Plan 62R-12134 into Harbour Front Drive

(f) A-42 A By-law to alter Dundurn Street South by installing a temporary curb stone island within a portion of the street

(g) A-43 A By-law to alter that portion of Dana Drive and Norrie Avenue where the two streets meet

(h) A-44 A By-law to stop-up, close, retain and authorize the sale of part of Upper Kenilworth Avenue as established by By-law No. 93-222

(i) A-45 A By-law to amend By-law No. 89-72 to Regulate Traffic

(j) A-46 A By-law to amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1994 June 20

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1994 and respectfully recommends:

1. That a purchase order, financed through various Public Works operating accounts, for the supply and delivery of fertilizers for the Public Works Department - Cemeteries, Park Maintenance, Horticulture and Facilities Divisions in accordance with specifications issued by the Purchasing Department and Vendor's Tender be issued to:

   (a) Maple Farm Supply Ltd., Bolton, Ontario in the amount of $55,357.96; and,
   (b) Nutrite Inc., Elmira, Ontario in the amount of $8,865.22; and,
   (c) Nu-Gro Corporation, Woodstock, Ontario in the amount of $4,663.78

2. (a) That an Option to Purchase to be executed by the Board of Education for the City of Hamilton, and scheduled to close on or before 1994 September 22, for the purchase by the City of the lands and premises more particularly described as part of Lot 17, Concession 7, in the Geographic Township of Barton, having a width of 32.968 metres (108.163 feet) more or less, by a length of 63.610 metres (208.694 feet) more or less, and comprising a total area of 1,850.00 square metres (19,913.88 square feet) more or less, located north of Brigadoon Drive and west of Appleblossom Drive, and designated as Part 2 on Unregistered Regional Survey Plan No. RH-B-513 Surveys, be approved and completed and the purchase price of $2. be charged to Account No. CH5X306 00201 (Reserve for Parkland); and,

   (b) That the City of Hamilton agree to pay the Board of Education's reasonable legal fees, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor; and,

   (c) That the City of Hamilton register a reference plan of the subject lands; and,

(d) That the closing of this Option to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by the Board of Education for the City of Hamilton, for the purchase of a portion of land being part of Lot 17, Concession 7, and designated as Part 1 on Unregistered Regional Survey Plan No. RH-B-513 Surveys, by the Board of Education for the City of Hamilton, which said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,

(e) That the closing of this purchase by the City be conditional upon the closing of the sale to the Board of Education for the City of Hamilton provided for in the Offer to Purchase referred to above; and,

(f) That an Authority to Enter scheduled to commence the day following City Council approval, to allow the City to enter upon the lands for the purposes of commencing the park development and proposed Tennis Courts prior to closing be approved; and,

(g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

3. (a) That an Offer to Purchase to be executed by the Board of Education for the City of Hamilton, and scheduled to close on or before 1994 September 22, for the purchase by the Board of Education for the City of Hamilton of the lands and premises more particularly described as part of Lot 17, Concession 7, in the Geographic Township of Barton, being rectangular in shape and having a width of 20.130 metres (66.04 feet) more or less, by a length of 92.00 metres (301.834 feet) more or less, and comprising a total area of 1,850.00 square metres (19,913.88 square feet) more or less, located north of Brigadoon Drive and west of Appleblossom Drive, and designated as Part 1 on Unregistered Regional Survey Plan No. RH-B-513 Surveys, be approved and completed and the funds derived from this sale of $2. be credited to Account No. CH4X501 00201 (Reserve for Parkland); and,

(b) That the City of Hamilton agree to pay the Board of Education's reasonable legal fees, provided the account for legal services, the hourly rates and hours incurred are satisfactory to the City Solicitor; and,

(c) That the City of Hamilton agree to pay the Land Transfer Tax required upon registration of the deed to the Purchaser; and,

(d) That the City of Hamilton provide and up-to-date plan of survey of the subject lands; and,

(e) That the closing of this Offer to Purchase is subject to the City of Hamilton accepting and closing an Option to Purchase executed by the Board of Education for the City of Hamilton, for the purchase of a portion of land being part of Lot 17, Concession 7, and designated as Part 2 on Unregistered Regional Survey Plan No. RH-B-513 Surveys, by the City, which said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,

(f) That the closing of this sale to the Board of Education for the City of Hamilton be conditional upon the closing of the sale to the City of Hamilton by the Board of Education for the City of Hamilton provided for in the Option to Purchase referred to above; and,

(g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

4. (a) That a Landscape Lease Agreement, duly executed by Reinhard and Regina Puschke and approved by City Council through its adoption of Section 15 (a) of the Thirteenth Report of the Board of Control on 1978 March 14 for the lease of land having a width of 4.878 metres (16 feet) more or less, by a length of 4.878 metres (16 feet) more or less, and comprising a total area of 23.782 square metres (256 square feet) more or less, at an annual sum of $1., be terminated; and,

(b) That no new leases be authorized to successive owners of this property in keeping with the Encroachment Policy approved by City Council through its adoption of Section 1 of the Sixth Report of the Parks and Recreation Committee for 1993 on 1993 March 9; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5. That the six (6) Nineteenth Century artillery pieces on display in Dundurn and Harvey Parks (two bronze nine pounders, two cast iron short 24 pounders and two cast iron long 24 pounders) be accessioned into the collection of the Hamilton Military Museum.

6. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the 1994 Tiffany's Golf Classic to be held at Chedoke Golf Club in Hamilton on Wednesday 1994 July 6 in accordance with City Council policy.

7. That approval be given to the action taken by the Interim Director of Culture and Recreation to allow green fees on a buy three (3) get one (1) free basis for the Optimist Junior World Golf Qualifiers Tournament held at Chedoke Golf Course, Martin Course, on 1994 June 11 in accordance with City Council policy and after consultation with the Golf Pro.

8. That approval be given to the action taken by the Interim Director of Culture and Recreation authorizing a complimentary pass, value $70., to the Annual Corporate Challenge, held on 1994 June 12 at Christies Conservation Area.

9. (a) That approval as required by Section 24 (1) of the Parks By-law 77-221, be given to the Slo-Pitch Ontario Association to sell alcoholic beverages at Mohawk Sports Complex on 1994 August 25 to August 28 and September 1 to September 4; and,

   (b) That approval as required by Section 24 (1) and Section 11 of the Parks By-law 77-221, be given to the Slo-Pitch Ontario Association to sell food and alcoholic beverages at Turner Farm on 1994 August 25 to August 28 and September 1 to September 4; and,

   (c) That approval as required by Section 24 (1) of the Parks By-Law 77-221, be given to the Slo-Pitch Ontario Association to sell alcoholic beverages at Globe Park on 1994 August 10 to August 14 and August 25 to August 28 and September 1 to September 4; and,

   (d) That these approvals be subject to the following terms and conditions:

      i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

iii. That alcoholic beverages (beer and wine only) be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board; and,

iv. That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

v. That the concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location.

Recorded vote on Section 9.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

10. (a) That approval, as required by Section 5 (b) and Section 11 (a) and (c) of the Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation in approving the following:

i. Huntington Park Community Council to barbecue, and sell food and beverages during the Neighbourhood Picnic and Park Opening at Jessie Patterson Park on 1994 June 18. (Rain Date June 19); and,

ii. Trenholme Neighbourhood Park Committee to sell merchandise and food during their Garage and Bake Sale on the vacant lot on the south west corner of Upper Kenilworth Avenue and Limeridge Road on 1994 June 11; and,

iii. Hamilton Field Hockey Association to sell food and beverages during their field hockey games and league Canada Day festivities at Ivor Wynne Stadium on 1994 June 26; and,

(b) That approval, as required by Section 5 (b) and Section 11 (a) be given to the following:

i. Canadian Mental Health Association to barbecue and sell food and beverages during the Baseball Tournament at King's Forest ball diamonds, on 1994 July 16; and,

ii. East Mountain Baseball Association to sell food and beverages at Mohawk Sports Park during the regular baseball season; and,

(c) That the approvals for (a) and (b) above be subject to the following terms and conditions:

i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

ii. That the Huntington Park Community Council, Trenholme Neighbourhood Park Committee, Hamilton Field Hockey Association, East Mountain Baseball Association and the Canadian Mental Health Association comply with all sections of the Parks By-law 77-221.

11. That permission be granted to Canoe Ontario to use Pier 4 Park for the Finlandia Clean Water Challenge to be staged on 1994 August 13 subject to the following conditions:

(a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause and satisfactory to the City Solicitor:

i. Insurance, in the amount of $5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, including various hazards, satisfactory to the City; and,

ii. Owned and Non-Owned Watercraft Liability to a minimum of $5 million per occurrence; and,

iii. Garage Liability in the amount of $5 million per occurrence; and,

iv. Tenant Legal Liability in the amount of $5 million per occurrence; and,

(b) That Canoe Ontario enter into a Licence Agreement satisfactory to the City Solicitor; and,

(c) That Special Duty Officers and/or Marine Police as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(d) That the applicant notify and adhere to the regulations of the Hamilton Harbour Commission; and,

(e) Event organizers adhere to the Public Works/Parks Division Signage Guidelines/specifications for advertising and promotion events; and,

(f) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report submitted to Committee.

12. (a) That approval, as required by Section 10 (3 (a) and (c)) of the Parks By-law 77-221, be given to Big Time Productions to host the annual Music in the City Series, at Gore Park 11:30 a.m. to 1:30 p.m. on the following dates:

1994 July 1 and 2
July 8 and 9
July 15 and 16
July 22 and 23
July 29 and 30
August 5 and 6
August 12 and 13
August 19 and 20
August 26 and 27 (rain date)

subject to the following terms and conditions:

i. That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

ii. That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

iii. That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

iv. That Big Time Productions enter into a Licence Agreement satisfactory to the City Solicitor; and,

v. That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee; and,

(b) That the City co-sponsor the Music in the City Series by waiving the rental permit fee of $25. per day for the dates listed sub-section (a) above.

13. That approval as required by Section 11 and Section 5 (b) of the Parks By-law 77-221, be given to the Volunteer Centre of Hamilton District to sell food and beverages on the occasion of their Summer Concert and B.B.Q., to be held 1994 July 15 and 16 and August 12 and 13 at Gore Park, subject to the following terms and conditions:

(a) That proof of $2 million General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured with a cross liability clause be provided; and,

(b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up etc.); and,

(c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

14. That permission be granted to the organizers of the March for Jesus to use Commonwealth Square for the Prayer/Praise event immediately following the March for Jesus Parade, being held 1994 June 25 from 3:00 o'clock p.m. to 5:30 o'clock p.m. subject to the following terms and conditions:

(a) That proof of $3 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured with a cross liability endorsement; and,

(b) That the applicant assume responsibility for all labour related charges associated with the event, (set-up, dismantling, clean-up, etc.); and,

(c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(d) That the event be monitored by the City's Special Events/Festival Advisory Team, with a post-event report back to Committee.

15. That approval as required by Section 10 (3 (a) and (c)) of the Parks By-law 77-221, be given to Global Harvest Ministries to host a Prayer and Worship Evangelistic Crusade, 1994 July 14 to July 16, in Gage Park, subject to the following terms and conditions:

(a) That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement; and,

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.); and,

(c) That a Special Duty Officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(d) That Global Harvest Ministries enter into a Licence Agreement satisfactory to the City Solicitor; and,

(e) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

16. That the City Treasurer be directed to close Capital Account No. CF418454006 - Crystal Palace, and that the unexpended amount of $1,955.72 be transferred to its original source of financing.

CAPITAL CENTRE NUMBER	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FUNDING
CF 418454006	Crystal Palace	$40,100.	$38,144.28	$1,955.72	Reserved for capital projects.

17. (a) That bore holes be taken, and that an analysis of the subsurface be carried out by Mountainview Geotechnical Ltd. so that tenders can be called for the rehabilitation of the King's Forest Tennis Courts; and,

(b) That approval be given to the rehabilitation of the King's Forest Tennis Courts at an estimated cost of $72,000.; and,

(c) That a geotechnical investigation for up to $7,000. on all 44 public tennis courts be undertaken to assess the extent of deterioration and to recommend a program for rehabilitation of the tennis courts; and,

(d) That the rehabilitation program be considered in the 1995 - 2004 Capital Budget; and,

(e) That the Finance and Administration Committee recommend the necessary financing for this undertaking.

18. (a) That the City of Hamilton, as Landlord of LaSalle Park, grant approval to the City of Burlington, Tenant, to permit the major capital improvement proposed by the Fish and Wildlife Restoration Project for 2.6 million dollars of improvements to the shoreline area of LaSalle Park in accordance with Sections 6 and 9 of the LaSalle Park Lease dated 1985 March 28, subject to the City of Burlington:

i. agreeing that Hamilton shall not be obligated under section 24 of the Lease to pay Burlington for the undepreciated capital improvement cost of the said major capital improvement; and,

ii. executing an agreement to amend the existing Lease incorporating this approval and its condition; and,

(b) That the Mayor and City Clerk be authorized to execute an agreement to amend the Lease of LaSalle Park, incorporating this approval and its conditions.

19. (a) That the Terms of Reference for the Conservation study for Dundurn Castle Landscape previously approved by City Council in Section 9 of the Eighteenth Report of Parks and Recreation Committee for 1993 be reconsidered and replaced with the Terms of Reference for the "Period Landscape Survey for Dundurn Castle" dated 1994 January 31; and,

(b) That staff carry out the necessary steps to prepare the request for proposals for consultants specializing in landscapes with funding available from CF5450 719355010.

Note: A copy of the Terms of Reference for the Period Landscape Survey for Dundurn Castle is available in the office of the Secretary of the Parks and Recreation Committee.

20. That the Parks and Recreation Committee recommend to City Council that the Hamilton-Wentworth Regional Council be advised of the following:

"That the Hamilton Historical Board strongly supports the recognition and inclusion of a cultural history, and pre-history, component in any future plans of the Red Hill Creek Valley. As part of this recognition, the Board encourages the establishment of one or more interpretive centres which would feature aspects of the Valley's cultural history along with its natural history. In addition, the Board supports the "official" recognition of people, places and events in the Valley's cultural history through plaquing and/or the naming of specific sites, trails and lookout points."

21. (a) That approval be given to implement the 1994 Public Art Programme as outlined in Appendix "A" attached hereto, as described in the "Art in Public Places Policy" approved by City Council on 1992 November 10; and,

(b) That the Request for Proposals for the services of a Conservation Technician as outlined in Appendix "B" attached hereto, satisfactory to the City Solicitor, be approved.

22. That the excess funds from the Winter Garden Show Account/Centre CH71518 amounting to $9,746.16 be deposited in the Dundurn Castle Restoration Trust Fund and that the account centre be closed.

23. That the licence agreement with Lloyd D. Jackson Square for the use of mall space for the provision of the Recreational Awareness in the Square (R.A.Y.S.) Program for Youth be extended to 1994 August 26.

24. That the recommendation approved by City Council on 1994 March 29, to charge green fees on a three (3) full price, one (1) free basis for the Y.M.C.A. of Hamilton\Burlington Annual Golf Tournament, held at Chedoke Golf Course on 1994 June 7 be amended to green fees on a buy two (2) full price and receive one (1) free.

25. (a) That permission be granted to issue eight complimentary golf passes as prizes for the Hamilton Police Association "Bunko" fund raising Golf Tournament for charity being held on 1994 July 8, at Flamborough Hills Golf Course; and,

(b) That permission be granted to issue two complimentary golf passes as prizes for the Hamilton-Wentworth Regional Police Retirees Second Annual Golf Tournament being held on 1994 June 27, at Southern Pines Golf Course.

26. That an extended youth program as outlined in Appendix "C" attached hereto be operated on a trial basis at Central Memorial Recreation Centre on Friday nights at an estimated cost of $1,276.20. (Source of funding 1994 general appropriations).

27. That the rental fee for the Hamilton and District Oldtimers Baseball organization to use Mohawk Sports Park be reduced from $11. to $5.50 per hour for weekend hours and from $12.35 to $6.18 per hour for holiday hours.

28. (a) That the installation of Rubber Sports Flooring at Lawfield Arena and Rosedale Arena be undertaken in 1994 at a cost not to exceed $63,000.; and,

(b) That the Finance and Administration Committee be requested to determine a method of financing this expenditure.

29. (a) That the Director of Public Works be directed to install the 520 seat mobile bleachers in the west end zone of Ivor Wynne Stadium for each Tiger-Cat home game; and, **CARRIED.**

(b) That the Director of Public Works report back to the Parks and Recreation Committee on the purchase of an additional 520 seat mobile bleacher for use at Ivor Wynne Stadium; and, **CARRIED.**

(c) That the Director of Public Works meet with the Hamilton Tiger-Cat Football Club and report back to the Parks and Recreation Committee at its next meeting on the issues of maintenance and decorating at Ivor Wynne Stadium; and, **CARRIED.**

(d) That the City of Hamilton support an application by the Hamilton Tiger-Cat Football Club for licensing privileges enabling beer to be offered to seated patrons during Tiger-Cat football games at Ivor Wynne Stadium. **LOST.**

Recorded vote on Section 29 (b).

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Eisenberger. -1. **CARRIED.**

Recorded vote on Section 29 (d).

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Eisenberger, D'Amico, Ross. -8.

NAYS: Aldermen Kiss, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson. -8. **LOST.**

30. That the City of Hamilton officially sanction the "Rotary Community Service Project - Rail to Trail Maintenance" whereby the Rotary Club of Hamilton Mountain Sunrise has assumed the responsibility of ensuring that the trail running from the foot of Wentworth Street South to the Mohawk Sports Park remains clean and free of litter.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson. -1. **CARRIED.**

31. That approval as required by Section 17 (1) and Section 26 of the Fireworks By-law 90-198, be given to the action taken by the Chief Administrative Officer, in approving the Fireworks Display at Ivor Wynne Stadium on 1994 June 19 for the St. Anthony's Feast Celebrations.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1994 June 21

Appendix "A" as referred to in Section 21 of the TENTH Report of the Parks and Recreation Committee for 1994

1994 PUBLIC ART PROGRAMME: Components, Objectives

1994 is the start-up year of the public art programme. The following objectives relate to seven key programme components and reflect the policy guidelines.

- PUBLIC ART COMMISSION
  To provide Standing Committees and Council with advice based on community interests and needs, and on expertise in the field of the visual arts in public contexts.

- ACQUISITIONS AND EXHIBITIONS
  To bring an original work of art, through a competition process, into one of Hamilton's major public places; to exhibit donated works.

- LOANS FROM OTHER SOURCES
  To enable the temporary exhibition of loaned works of art in appropriate public places.

- PRESERVATION
  To achieve and maintain professional conservation standards for the display, security, storage, restoration, and preventative maintenance of the City's art collection.

- RECORDS MANAGEMENT
  To maintain documentation that chronicles the administrative, legal, artistic processes, and any changes in the art work status, of each object in the public art collection.

- EDUCATION
  To provide information and training in public art to the community: the general public, neighbourhood associations, artists.

- PARTNERSHIPS
  To carry out activities and projects in which partnerships with the private sector and other community agencies are formed.

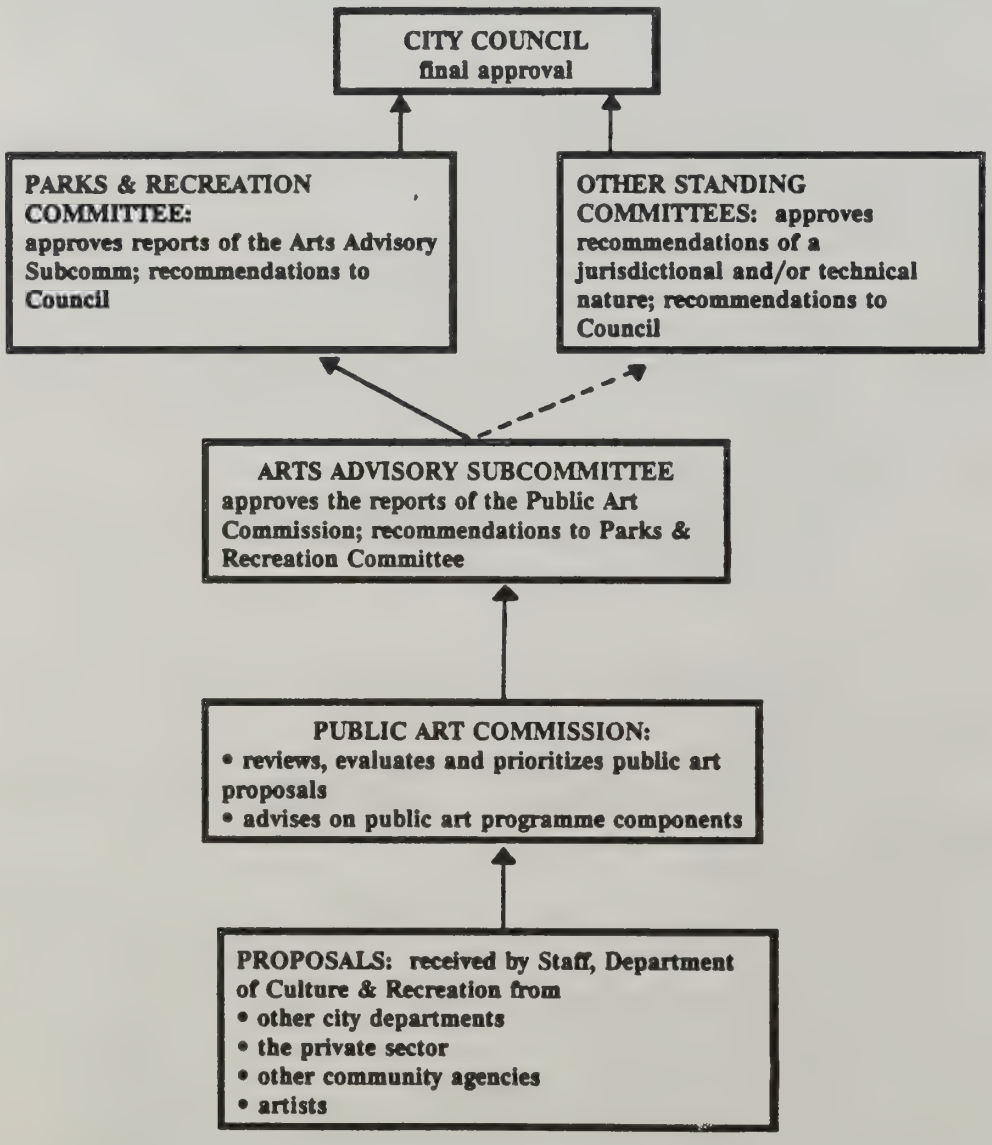
BUDGET ALLOCATIONS

It is anticipated in the start-up year that the $120,000 programme budget will be allocated as follows:

• Public Art Commission	$ 2,000
• Acquisitions & Exhibitions	$75,000
• Loans from other sources	$10,000
• Preservation and Records Management (Conservation Technician: $7,350. + vacation pay)	$13,000
• Education	$10,000
• Partnerships	$10,000

REPORTING STRUCTURE

PUBLIC ART PROGRAMME



PUBLIC ART COMMISSION 1994

9 Citizen Members:	to represent the visual arts, architecture, urban design, the development industry, education
	Donna Ibing Bryce Kanbara Pat Kozowyk Christopher Gatt Don Moffat Ted Pietrzak Trevor Hodgson Dr. Wayne Whillier Jon Zemitis
8 Liaison Members:	to represent specific interest groups
	City Council - Alderman Mary Kiss Arts Advisory Subcommittee - Chuck Renaud Hamilton Historical Board - Claire Riddell Urban Design Committee - Peter Hill H.E.C.F.I. - Jackie Isbester Hamilton Public Library Board - Peter Rogers L.A.C.A.C. - Jane Rigby Central Area Plan Implementation Committee
Staff Participants:	the Public Art Programme's scope is interdepartmental in the range of potential projects which it will examine. The following departments will receive agendas and be encouraged to play an active role in those projects affected by the departments' various mandates.
	Culture And Recreation Public Works Property Planning Housing

SUMMARY OF OBJECTIVES AND RECOMMENDATIONS *

Mission Statement

The City of Hamilton will initiate, implement and support a public art programme to encourage public art projects which will humanize and enhance the environment in which its citizens live.

Objectives

1. URBAN DEVELOPMENT:

To support and encourage the development of Hamilton as a desirable urban location for residency, business development, cultural activity and tourism.

2. INTEGRATION:

To encourage productive collaborations between the arts community and the larger community.

3. PROCESS:

To provide an organizational structure for the review, administration and processing of public art projects.

Recommendations

1.0 ADMINISTRATION:

1.1 That City Council consider the appointment of a Public Art Commission as an integral part of its public art programme in accordance with the structure outlined in Schedule A;

1.2 that the co-ordinating staff function associated with a public art programme be established within the Department of Culture & Recreation;

1.3 that all departments inform the arts co-ordinator of public art opportunities originating in those departments;

1.4 that the Public Art Commission receive administrative assistance from the City Clerk's Department.

2.0 SELECTION PROCESS FOR PUBLIC ART:

2.1 That a selection process which is fair, promotes excellence, and is tailored to meet

* Excerpt: "Art in Public Places Policy"

the needs of each project be used in choosing public art for those projects;

(i)

2.2 that the Public Art Commission decide, on a project by project basis, the appropriate selection method.

3.0 DONATIONS OF ART:

3.1 That individuals or groups intending to make a donation submit written proposals for review by the Public Art Commission;

3.2 that the Public Art Commission make recommendations consistent with established criteria;

3.3 that the Public Art Commission review all requests, then forward recommendations to committee and Council.

4.0 SITING/INSTALLATION OF PUBLIC ART:

4.1 That any instance of siting/installation, re-location or removal of a work of art owned by the City of Hamilton or located on property of the City of Hamilton, be subject to review by the Public Art Commission and relevant City Departments.

5.0 INVENTORY OF PUBLIC ART:

5.1 That a municipal Public Art Inventory be actively maintained in a registry with records management principles compatible with tose of the City's museums;

5.2 that any items identified as artifacts, archival materials or architectural pieces be referred to the appropriate agencies.

6.0 COLLECTION GUIDELINES:

6.1 That the Public Art Commission develop an art collection policy for the City of Hamilton in co-operation with established committees and jurisdictions.

7.0 MUNICIPAL CAPITAL PROJECTS AND PUBLIC ART

7.1 That in order to establish a long term funding base, an allocation of up to one percent of construction costs for all municipal capital projects be used for the acquisition and maintenance of public art;

7.2 that affected City Departments be responsible for identifying those capital projects in which public art will be included, on the basis of the project's public visibiltiy, publiv use and its civic importance;

(ii)

7.3 that mechanisms be established to publicize public art opportunites to artists, with emphasis on local artists' participation;

7.4 that artists be involved from the earliest stages of any project identified for a public art component as integral members of the design team.

8.0 PUBLIC ART - PRIVATE DEVELOPMENT PROJECTS:

8.1 That City Departments, in co-operation with the Public Art Commission, establish methods of entrenching a partnership with the corporate development sector to encourage public art projects in Hamilton.

9.0 EDUCATION

9.1 That staff and the Public Art Commission provide opportunities for the general education of the community about public art issues;

9.2 that staff and the Public Art Commission include an educational component within the scope of each public art initiative undertaken in City capital projects;

9.3 that staff and the Public Art Commission maintain relationships with the Boards of Education, Art Gallery of Hamilton Education Department and other education providers.

REQUEST FOR PROPOSALS

In its first year, the Public Art Programme will establish a system of collections Management, Conservation and Storage, to service the needs of the City of Hamilton's collection. Largely since the present City Hall was completed in 1959/60, the corporation has acquired, through commissions and donations, a variety of works of art. In addition, the City has allowed local organizations to display their pieces on City property. An inventory of the City's collection was begun in 1992. No records appeared to have been kept prior to that time for the estimated 75 works.

Many works in the collection are in need of professional cleaning and care. Provisions must also be made for adequate storage space and fittings.

Job Title: Conservation Technician

Reporting: The conservation technician will be under the direct supervision of the Department of Culture & Recreation's Conservator and indirectly reporting to the Arts co-ordinator (administrator of the Public Art Programme)

Duties:

1. **Collections Management**

a) - consolidate existing registry material (change format)
b) - catalogue objects not yet accessioned (photos and art Dundurn old) collection, recent acquisitions, etc.)
- identify display material to deaccession (inventory)
c) - create location files
d) - consolidate existing photodocumentation
e) - complete photodocumentation

Appraisal

f) - inhouse evaluation of other framed works where possible

2. **Conservation**

a) - create a condition report form specific to City of Hamilton collection
b) - begin examining and writing condition report for each item in the collection
c) - photoducument details of damage or notable areas
d) - take visible light (lux) and ultraviolet radiation readings for each work
e) - record relative humidity and temperature reading over a specified length of time with date logger
f) - establish criteria for prioritizing treatments (preventive and restorative

- create treatment schedule from condition reports, including preventive maintenance materials and costs - based on priorities established by appraised value, historic significance and conservation needs

3. Storage

- establish physical storage needs of reserve collection (after registry component)

Duration

1994: Thirty weeks; two and one half days per week.

Wage

Hourly rate: $13.12 + vacation pay.

Appendix "C" as referred to in Section 26 of the TENTH Report of the Parks and Recreation Committee for 1994

CENTRAL MEMORIAL - Extended Youth Program

Current Program	Friday	Open Swim	6:00 - 8:00 p.m.
		Teen Gym	6:00 - 8:00 p.m.
	Saturday	Open Swim	5:30 - 7:30 p.m.
Expansion	**Friday**	**Open Swim**	**6:00 - 10:00 p.m.**
		Teen Gym	**6:00 - 10:00 p.m.**
	Saturday	Open Swim	6:00 - 10:00 p.m.
		Teen Gym	6:00 - 10:00 p.m.

Expansion Costs:

#	Staff Position	Rate per Hr.	**Friday (2hr)**	Saturday (2hr)
(1)	Lock-up Guard	$16.66	**$33.32**	$33.32
(2)	Lifeguards	$13.71	**$54.88**	$54.88
(1)	Sports Leader	$ 6.70	**$13.40**	$26.80 (4hr)
(2)	Checkers	$ 6.70	**$26.80**	$26.80
(1)	Receptionist	$ 6.70	**$13.40**	$13.40
	Total Daily Cost		**$141.80**	$155.20
	Cost per summer (9 weeks)		**$1,276.20**	$1,396.80

Cost for Friday and Saturday nights $2,673.00

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1994 and respectfully recommends:

1. (a) That the City enter into an Agreement, satisfactory to the City Solicitor, with Contemporary Leisure Canada Inc. to fully manage and operate the Chedoke Twin Pad Arena for a five (5) year period commencing on 1994 August 1 based on Contemporary Leisure Canada Inc.'s total Proposal to the City.

   (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen Kiss, Wilson, Charters, Jackson, Merling. -5. **CARRIED.**

Respectfully Submitted,

ALDERMAN T. JACKSON,
CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1994 June 28

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1994 and respectfully recommends:

1. That approval be given to Zoning Application 94-13, Norman and Jacqueline MacInnis, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the development of the subject lands for a single-family dwelling, for property located at 185 Annabelle Street, shown on the attached map marked as Appendix "A", on the following basis:

   (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

   (b) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor, and Zoning District Map W-17C for presentation to City Council; and,

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. A. That approval be given to Official Plan Amendment No.126 to establish a new Special Policy Area to permit an office use in a Residential designation, for property located at 44 Greendale Drive and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.

   B. That approval be given to amended Zoning Application ZAC-94-09, Seven Towers Non-Profit Family Day Care Inc., owner, requesting a further modification to the established "C" (Urban Protected Residential, etc.) District to permit branch administrative offices for a day care agency and a day care centre for the accommodation of a maximum of 104 children, on lands located at 44 Greendale Drive as shown on the attached map marked as Appendix "B", on the following basis:

(a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593, as amended by By-law No. 75-190, applicable to the subject lands, be further modified to include the following variances as special requirements:

(i) That Clause 1 of Section 2 of By-law No. 75-190 be deleted and replaced with the following:

"(1.) That notwithstanding Section 9(1)(iii) of Zoning By-law No. 6593, a day nursery for the accommodation of not more than 104 children will be permitted; and,

(2.) That notwithstanding Section 9(1) of Zoning By-law No. 6593, an administrative office for a child care agency only will be permitted in conjunction with an existing day nursery."

(b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-420a, and that the subject lands on Zoning District Map W-27B be notated S-420a; and,

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and By-law No. 75-190, and Zoning District Map W-27B for presentation to City Council; and,

(d) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.126 by the Regional Municipality of Hamilton-Wentworth; and,

(e) That the approved Gilkson Neighbourhood Plan be amended to add a note that an office use exists in conjunction with the children's day nursery.

C. That this proposed addition (see Appendix "C" attached) be exempt from Site Plan Control.

Recorded vote on Section 2.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson. -14.

NAYS: Aldermen D'Amico, Ross. -2. **CARRIED.**

3. That approval be given to City Initiative-93-C, respecting lighting requirements for public parking lots, on the following basis:

(a) That a lighting plan depicting night time use, including the position, quantity and type of lighting for public parking lots, be included under the Site Plan Control Approval process; and,

(b) That the "Recommended Maintained Horizontal Illuminances for Vehicle Use Area (only) in Open Parking Facilities" as set out under the IES Lighting Handbook 1987 (fig. 14-27) or latest version, be adopted as a lighting design guideline for approval of the lighting plan submitted under Site Plan Control; and,

(c) That the Roads Department be requested to review the lighting plans, through Site Plan Approval Process, for acceptability.

4. A. That approval be given to Official Plan Amendment No. 127 to establish a new Special Policy Area to permit a restaurant in a Residential designation, for property located at 180 Walnut Street South and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.

B. That approval be given to amended Zoning Application ZAC-94-03, Ivo Civitarese et al, owner, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, to permit a restaurant within the existing building as a temporary use for a period of two (2) years, on lands located at 180 Walnut Street South, as shown on the attached map marked as Appendix "D", on the following basis:

(a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of By-law No. 6593, as amended by By-law 76-312, applicable to the subject lands, be further modified in accordance with Section 39 of the Planning Act, R.S.O., 1990, to permit the temporary use of the existing building for only a restaurant for a maximum period of two (2) years, and include the following variance as a special requirement:

(i) That notwithstanding Section 18A of By-law No. 6593, no parking is required on-site;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 a Schedule S-490a, and that the subject lands on Zoning District Map E5 be notated S-490a; and,

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E5 for presentation to Council; and,

(d) That the proposed modification in zoning will be inconformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 127 by the Regional Municipality of Hamilton-Wentworth; and,

(e) That the approved Corktown Neighbourhood Plan be amended to add a note that a restaurant will be permitted as a temporary use for a period of two years from the date of Council approval.

5. A. That approval be given to Official Plan Amendment No.124 to redesignate a 2.6 acre parcel of land from "Residential" to "Commercial" (Blocks "2" and "3"), and the City Solicitor be directed to prepare a By-law of Adoption for submission to Regional Municipality of Hamilton-Wentworth.

B. That approval be given to amended Zoning Application 93-39, Mr. Jerry Amatangelo (In Trust), owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for Block "1"; to "G-4" (Designed Neighbourhood Shopping Area) District, modified for Blocks "2" and "3" for lands located at the north-west corner of Garth Street and Rymal Road West, shown as Blocks "1", "2", and "3" on the attached map marked as Appendix "E", on the following basis:

(a) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

(b) That Blocks "2" and "3" be rezoned from "AA" (Agricultural) District to "G-4" (Designed Neighbourhood Shopping Area) District; and,

(c) That the "G-4" (Designed Neighbourhood Shopping Area) District regulations as contained in Section 13D of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:

(i) That notwithstanding Section 13D.(1) of Zoning By-law No. 6593, only the following commercial uses shall be permitted on Block "2" of the subject lands:

(1.) Medical Office
(2.) Medical Laboratory
(3.) Pharmacy
(4.) Physiotherapy Office
(5.) X-ray Office
(6.) Optician Office
(7.) Retail Sale and Rental of Personal Health Aids

(ii) That notwithstanding Section 13D.(3) of Zoning By-law No. 6593, no building or structure on Block "2" shall exceed 2 storeys (11.0m) in height; and,

(iii) That notwithstanding Section 13D.(5) of Zoning By-law No. 6593, the lot area shall not exceed 10,548.0 m^2; and,

(iv) That a minimum 6.0 m planting strip, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the entire northerly lot line of Blocks "2" and "3", and westerly lot line of Block "2"; and,

(v) That a minimum 3.0 m planting strip shall be provided and maintained along the entire southerly lot line of Blocks "2" and "3", and easterly lot line of Block "3", except for the area used for access driveways.

(d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1330, and that the subject lands on Zoning District Map W-27D be notated S-1330; and,

(e) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map W-27D for presentation to City Council; and,

(f) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No.124 by the Regional Municipality of Hamilton-Wentworth; and,

(g) That the Falkirk East Neighbourhood Plan be amended to: redesignate Block "2" from "Single and Double Residential" to "Commercial"; modify the road pattern as per the submitted plan (Appendix "F"), realign the 20 ft. planting strip to abut the proposed residential development, and provide a walkway and sewer easement between Lynnette Court and Garth Street.

C. (a) That approval be given to application 25T-93013, J. Amatangelo (In trust), owner, to establish a draft plan of subdivision, on lands at the north west corner of Garth Street at Rymal Road West in the Falkirk East Neighbourhood, subject to the following conditions:

(i) That this approval apply to the plan, as revised in red, prepared by Bryan Jacobs, O.L.S., dated October 12, 1993, showing 19 lots for single family dwellings and a block for commercial purposes; and,

(ii) That the owner be required to enter into subdivision agreements with both the City of Hamilton and the Region of Hamilton-Wentworth prior to the development of any portion of these lands; and,

(iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(iv) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

(v) That the owner provide the City of Hamilton Traffic Department with a copy of the final plan for review to ensure that no overlapping of driveways between the property lines and the travelled portion of the roadway are being created; and,

(vi) That the owner convey an easement to meet the requirements of the Region, in the vicinity of Lots 18 and 19 in order to provide a sewer connection between Lynnette Court and Garth Street; and,

(vii) That the owner's Consulting Engineer provide proof to the satisfaction of the Region that the existing storm and sanitary sewers on Garth Street are of adequate depth and capacity to drain Lots 8 to 19 (inclusive) and the future lots along the north side of Lynnette Court; and,

(viii) That Block 20 (Commercial Lands) be serviced from the existing sewers on Rymal Road West only; and,

(ix) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,

(x) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,

(xi) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton; and,

(xii) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

(b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-93013), J. Amatangelo (In Trust), owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and,

(c) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

6. That By-law #93-167 to Authorize Building Permits and Fees be amended by deleting item (5) from Schedule 'A' and substituting the following:

(5) Permit for the installation of a tent

i)	where the area of a single tent is $56m^2$ (603 square feet) or less, and not more than two tents on a site	$25.
ii)	where the area of a single tent exceeds $56m^2$ (603 square feet), and not more than two tents on a site	$40.
iii)	where more than two tents are on a site	Basic fee of $40. plus an amount calculated at the rate of $9. per each $1,000. or part thereof of the cost or valuation of construction in excess of the first $10,000.
iv)	where tents are erect on city owned property for a civic function	$0

7. (a) That the City's Law Department be directed to amend By-law 78-113 to include a provision for owner/occupants of residential property to receive assistance in the form of a low interest loan for the replacement of deteriorating retaining walls as per Appendix "G" attached; and, **AMENDED.**

(b) That the funds repaid under the Programme be placed in a recyclable account for the continuation of the Programme; and,

(c) That the Building Commissioner be directed to include in the Building Department's Capital Budget $500,000. per year for 1995, 1996 and 1997 for consideration in the 1995 - 2004 Capital Budget Process to address the ongoing problems of retaining walls throughout the City.

8. That the City of Hamilton accept the sum of $12,530. as a cash payment in lieu of the 5% land dedication in connection with "Acadia Estates", west of Upper Sherman Avenue in the Butler Neighbourhood, Hamilton, as well as the sum of $7,750. as a cash payment in lieu of the 5% land dedication in connection with "Arrowhead Heights of Rymal - Phase 1", south of Rymal Road in the Chapple East Neighbourhood, Hamilton, this being the cash payment required under Section 51 of the Planning Act.

9. That the City of Hamilton accept the sum of $3,400. as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 6", west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood, Hamilton, this being the cash payment required under Section 51 of the Planning Act.

10. That the Building Commissioner be authorized to issue a demolition permit for:

(a)	131 Forest Avenue	**REFERRED BACK.**
(b)	137 Forest Avenue	**REFERRED BACK.**
(c)	404 Beach Boulevard	
(d)	47 Limeridge Road East	
(e)	161 Niagara Street	
(f)	169 Niagara Street	
(g)	171 Niagara Street	

11. That in situations where the owner of a property also operates a business from the same address that the maximum commercial loan of $25,000. be permitted regardless of the breakdown between exterior and interior work.

12. That in the event the owner of a business within a B.I.A. does not own the building, a loan of less than $5,000. will be secured by a Promissory Note, and for loans greater than $5,000., a collateral mortgage will be obtained on other real property owned by the tenant.

13. That a Commercial Loan in the amount of ten thousand dollars ($10,000.) be approved for Luba Mera, a Division of 603667 Ontario Inc. for improvements at 987 King Street West. The interest rate will be 3-3/8 per cent amortized over ten years and will be secured by a collateral mortgage on the property at 127 Rembrandt Court, Ancaster.

14. That a loan increase of $10,123. be approved for Mr. D. Kwiatkwoski, 210 Ottawa Street North, under the Commercial Loan Programme. The total loan is now $21,864.

15. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, one hundred and ninety-eight dollars ($1,198.) be approved for Ilona Kelemen, 244 Lawnhurst Court, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

16. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and eighty dollars ($1,380.) be approved for Mr. and Mrs. Lamb, 169 Brentwood Drive, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

17. That in accordance with Section 26(1) of the Planning Act, the Planning and Development Department staff be directed to arrange for a Public Meeting, to obtain public input on the need for a review of the City of Hamilton Official Plan.

18. (a) That GO Transit, and the Minister of Environment and Energy, be provided with the attached Proposed Public Participation Guidelines for Train Storage Yards, prepared by the Advisory Committee on GO Transit, as contained in Appendix "H"; and,

    (b) That the City Clerk be directed to forward a copy of this report to GO Transit, and the Minister of Environment and Energy.

19. That Item 14(b)(i) of the Eighteenth Report of the Planning and Development Committee to City Council on 1992 October 27, respecting Zoning Application ZA-92-35 by Peter Esposto, for lands at 9 Brantdale Avenue, be amended as follows:

    (a) Amend Item 14(b)(i) by deleting it in its entirety and replacing it with the following:

        "(i) That notwithstanding Section 13C(4)(i) of Zoning By-law No. 6593, a landscape planting strip having a minimum width of 3.0 m shall be provided and maintained along the street line (northerly property line), except for any area used for vehicular access."

20. That Section 4 of the Ninth Report of the Planning and Development Committee, adopted by Council on 1994 May 31, respecting Zoning Application 94-07, Homes by DeSantis Inc. (In Trust), prospective owner of lands located at 819 Upper Paradise Road, as shown on the attached map marked as Appendix "I", be revised as follows:

(a) That Section 4.(b), 4.(c) and 4.(d) be renumbered 4.(d), 4.(e) and 4.(f), respectively; and,

(b) That the following new clause be added as Section 4.(b):

"(b) That the "RT-20" (Townhouse - Maisonette) District regulations as contained in Section 10E of Zoning By-law No. 6593 be modified to include the following variances as special requirements:

(i) That not more than sixteen (16) single-family dwelling units shall be permitted; and,

(ii) That notwithstanding Section 10E.(3) no building or structure shall exceed two storeys in height."

(c) That the following new clause be added as Section 4.(c):

"(c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1329, and that the subject lands on Zoning District Map W-27C be notated S-1329."

21. (a) That the position of Manager of Field Services be declared redundant effective 1996 March 1; and,

(b) That an additional position of Supervisor of Field Services be created effective 1996 March 1; and,

(c) That the three Administrative Assistant positions created on 1994 February 11 be deleted; and,

(d) That the following positions that were declared redundant on 1994 February 11 be reinstated:

Field Services Clerk I	1 FTE
Building Administration Clerk	1 FTE
Customer Services Admin Clerk	1 FTE

(e) That the attached Reorganizational Charts shown as Appendices "J","K", and "L" be approved; and,

(f) That the existing positions of Administrative Assistant III in Administration and Chief Building Engineer be referred to Human Resources for classification; and,

(g) That the reinstated positions of Building Administration Clerk, Customer Services Admin Clerk, and Field Services Clerk I be evaluated under the maintenance appeal procedure; and,

(h) That the newly established position of Manager of Administrative Services which was the combination of two jobs be referred to the Commissioner of Human Resources for classification.

22. That leave be granted to introduce the following Bills:

(a) C-28 A By-law to amend Zoning By-law No. 6593 respecting Temporary Use of Tents for Business Purposes.

(b) C-29 A By-law to amend Zoning By-law No. 6593 respecting Lands located at the rear of 1094 Upper Sherman Avenue. **REFERRED BACK.**

(c) C-30 A By-law to amend Zoning By-law No. 6593 respecting Lands located at the rear of 379 Rymal Road East.

(d) C-31 A By-law to amend Zoning By-law No. 6593 respecting Lands located at 819 Upper Paradise Road.

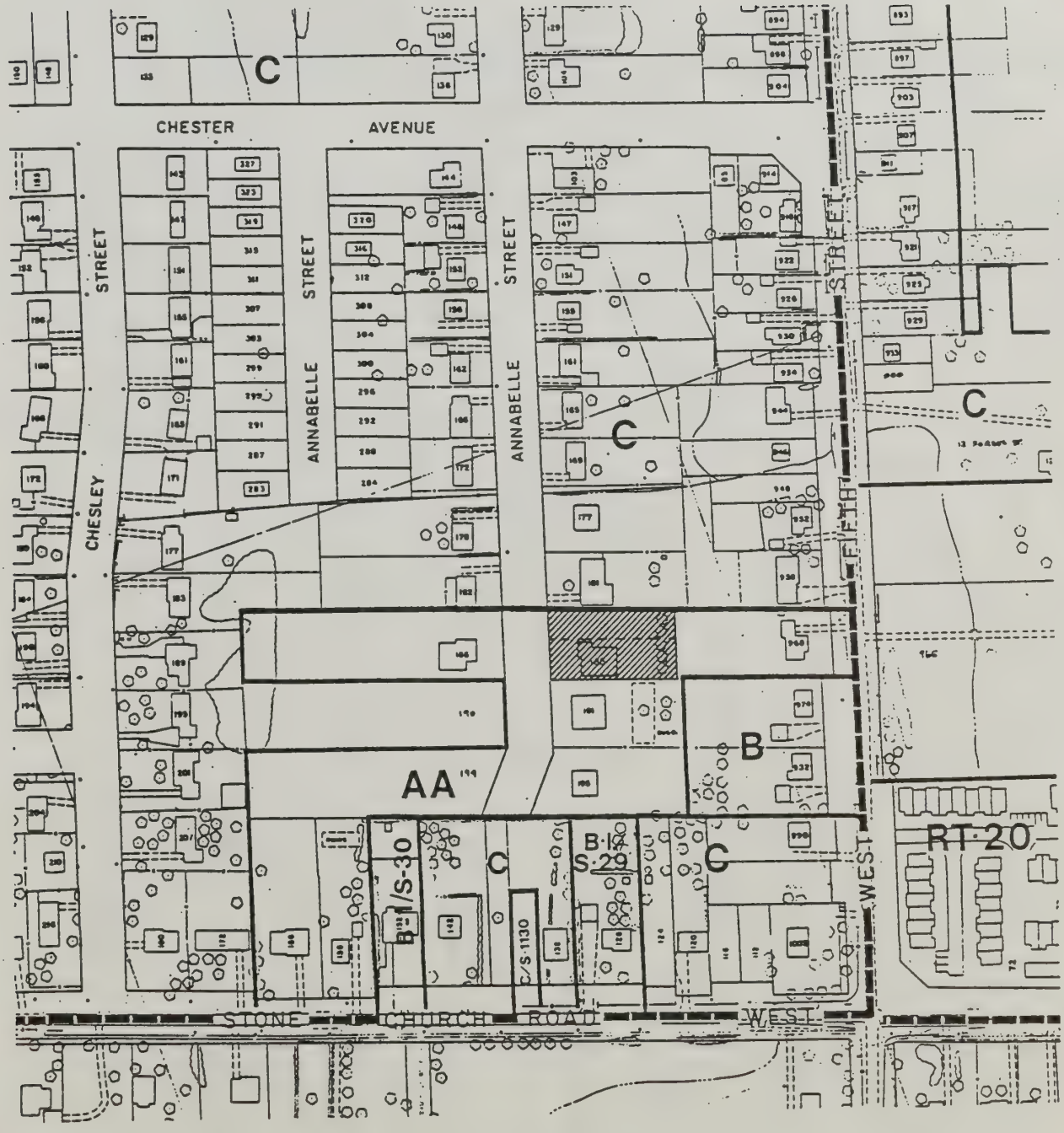
(e) C-32 A By-law to amend Zoning By-law No. 6593 respecting Lands located at 185 Annabelle Street.

RESPECTFULLY SUBMITTED,

ALDERMAN DON DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1994 June 22

Appendix "A" referred to in Section 1 of the **TENTH** Report of the Planning and Development Committee for **1994**.

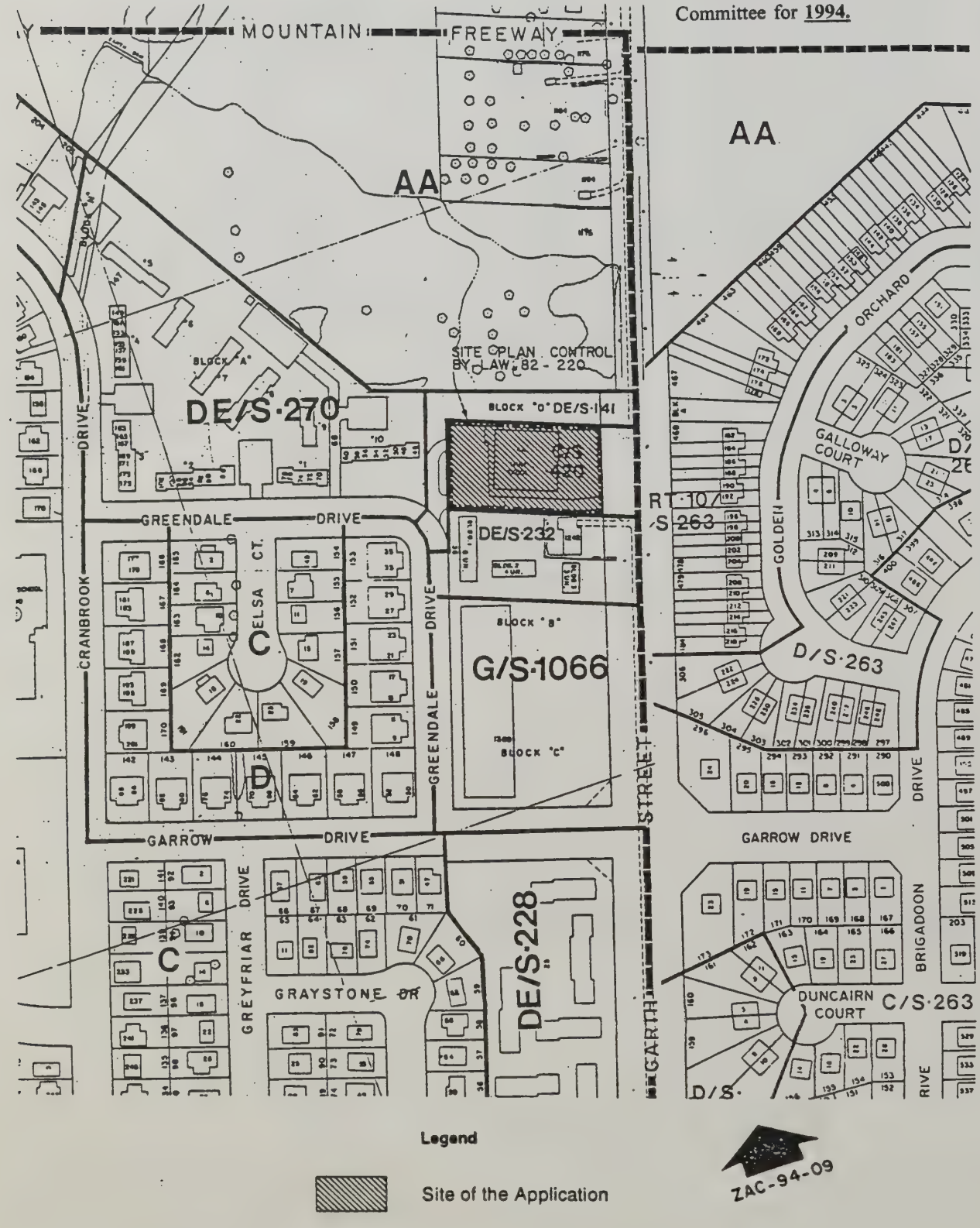


Legend

Site of the Application

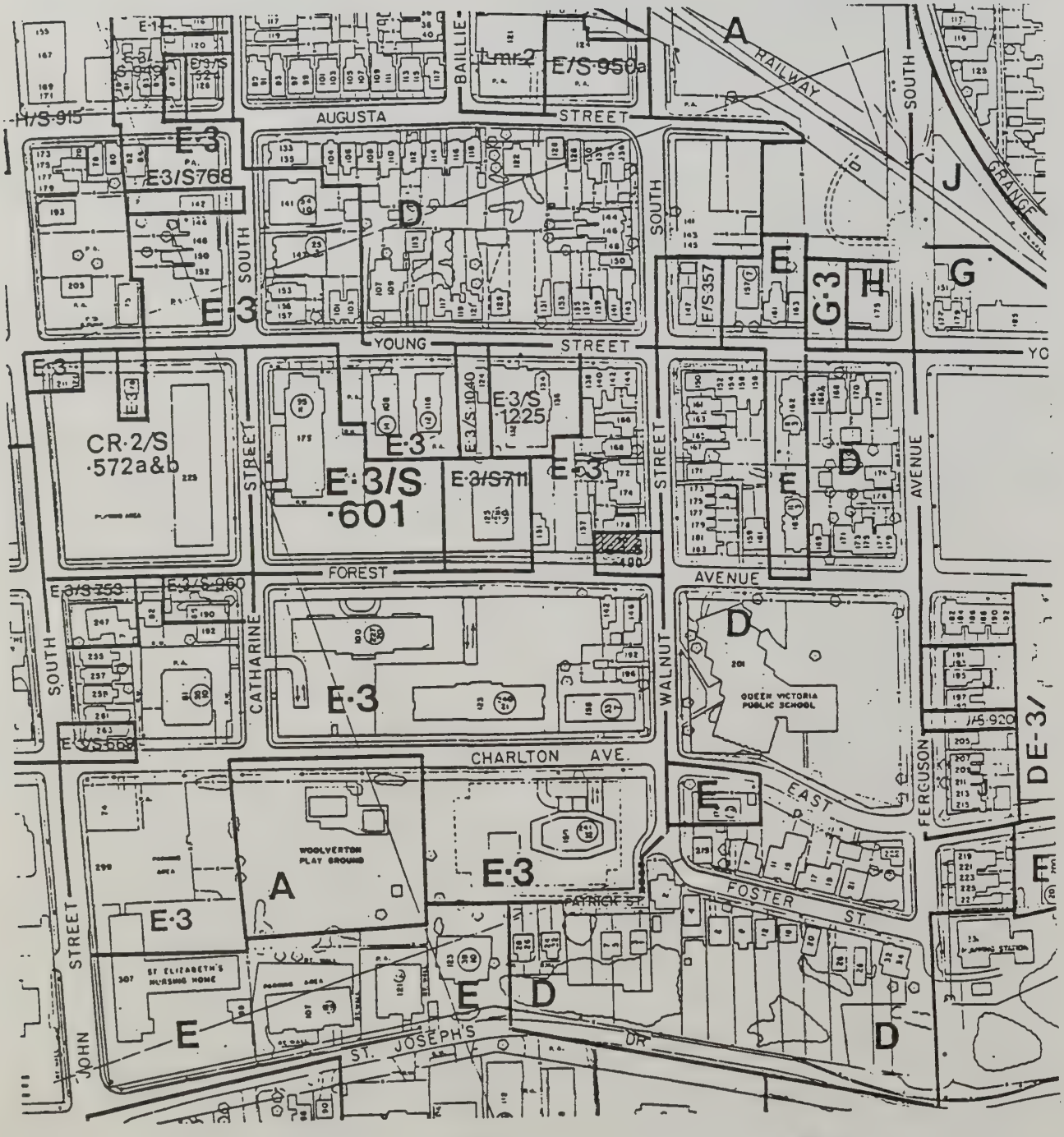
ZAR-94-13

Appendix "B" referred to in Section 2.B of the **TENTH** Report of the Planning and Development Committee for **1994.**



Appendix "C" referred to in Section 2.C of the **TENTH** Report of the Planning and Development Committee for 1994.

Appendix "D" referred to in Section 4.B of the **TENTH** Report of the Planning and Development Committee for **1994.**

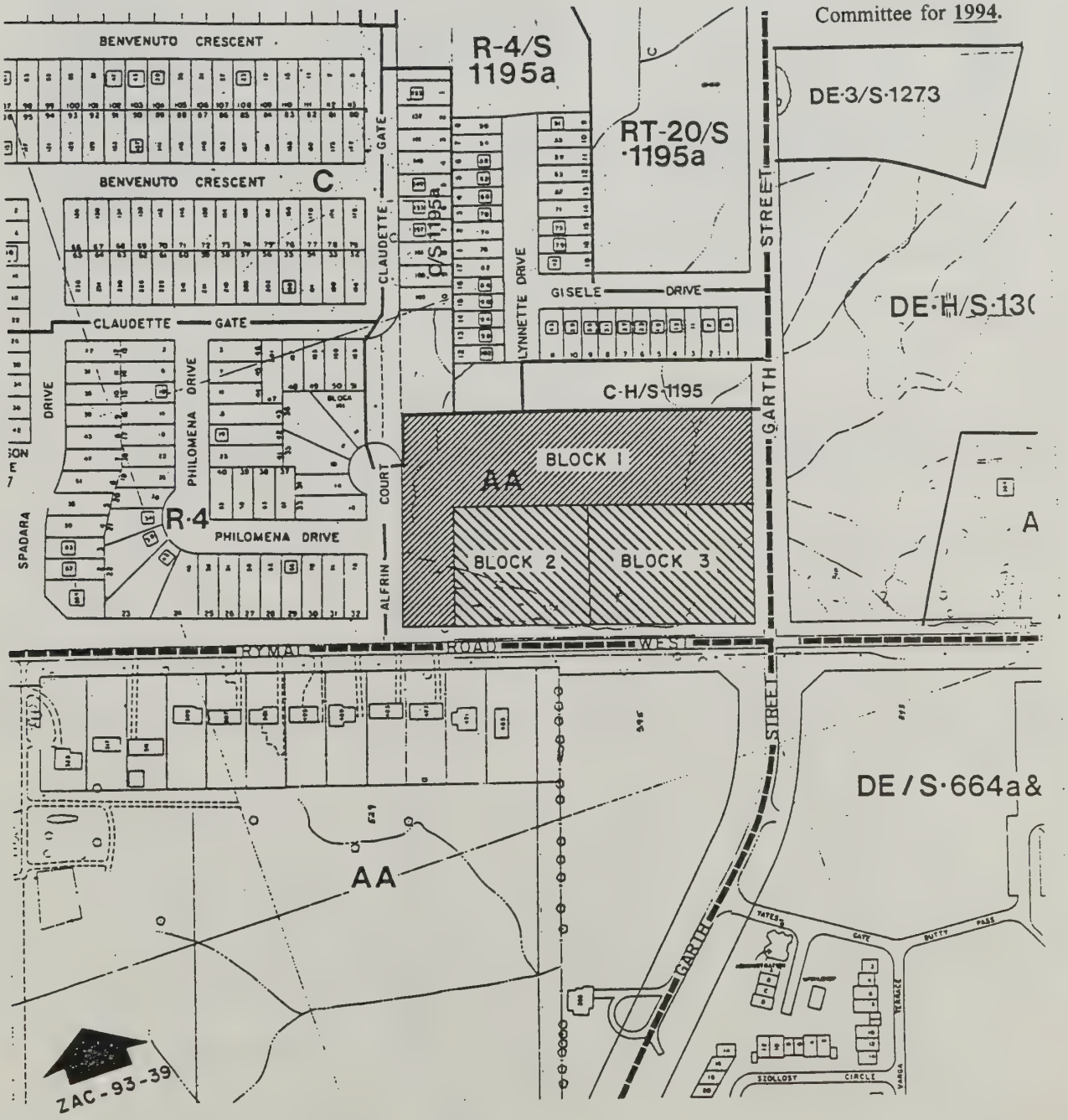


Legend

Site of the Application

ZAC - 94 - 03

Appendix "E" referred to in Section 5.B of the **TENTH** Report of the Planning and Development Committee for **1994**.



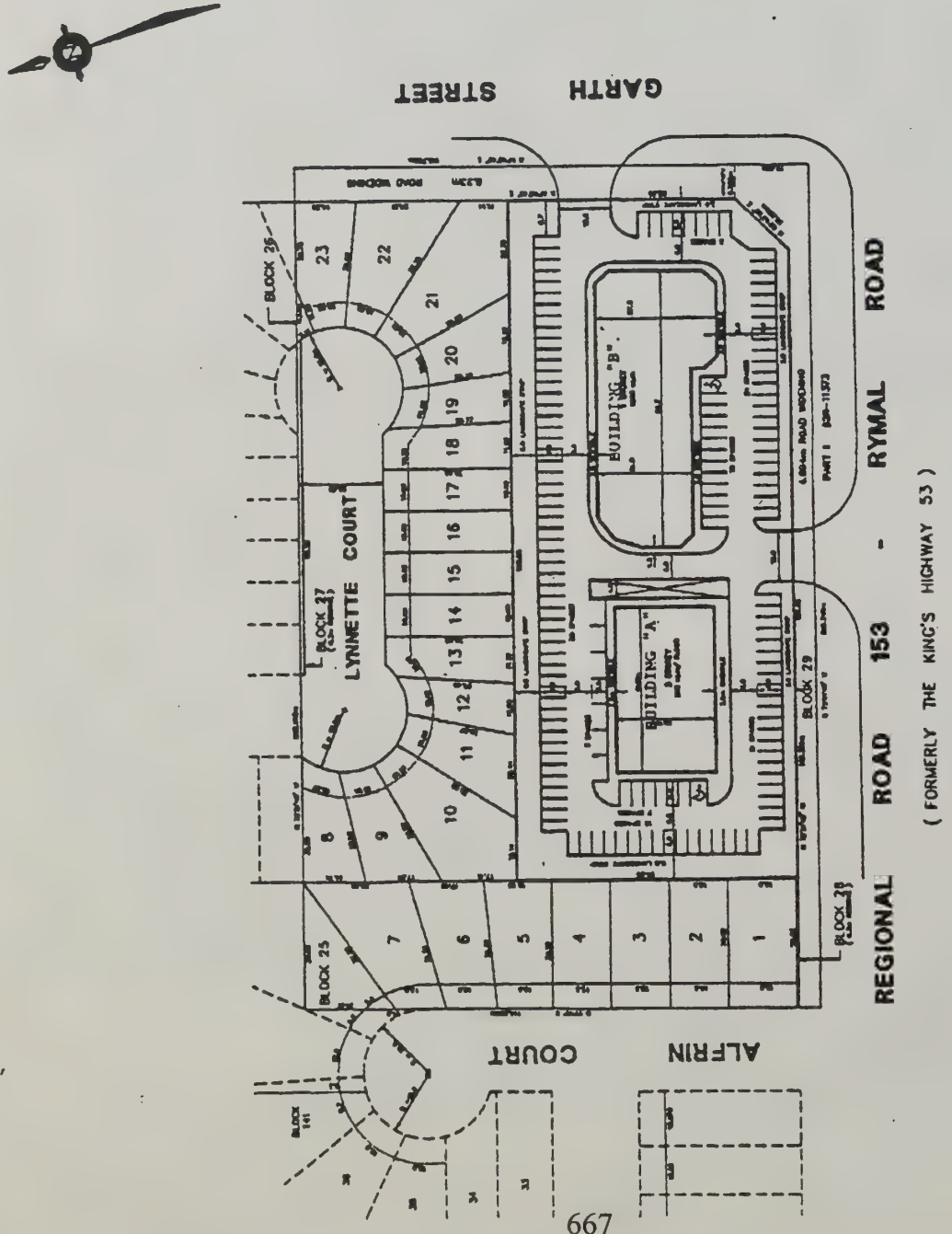
Legend

Proposed change in zoning from "AA" (Agricultural) District to:

BLOCK 1 — "C" (Urban Protected Residential, etc.) District.

BLOCKS 2 and 3 — "G-4" (Designed Neighbourhood Shopping Area) District, modified.

Appendix "F" referred to in Section 5.B (g) of the **TENTH** Report of the Planning and Development Committee for 1994.



Appendix "G" referred to in Section 7.(a) of the **TENTH** Report of the Planning and Development Committee for **1994.**
AS AMENDED.

SCHEDULE A

PROPOSED AMENDMENT TO BY-LAW 78-113

To allow for the processing of loans for the replacement of existing retaining walls. (Will form separate section of By-law 78-113)

1. property owner-occupied;

2. family incomes $60,000. or less, loan of up to $20,000. at 3% interest amortized over 15 years, and re-negotiated after five years at a rate of interest not greater than the City's prime lending rate. No penalty clause for early re-payment;

3. family incomes over $60,000, City's prime lending rate at the time of finalization of application;

4. inspection by City to determine need and eligibility;

5. loans secured by lien registered on title or, if necessary, a collateral mortgage registered on title; *AMENDED.*

6. transferrable to new owner if sold and terms acceptable to purchaser;

7. administration fee of 1.5% or minimum of $200 (eligible for financing);

8. engineered drawings and stamp must be provided, as well as site inspection by independent engineer are also eligible for funding;

9. survey costs are eligible for funding;

10. work inspected before payment is released to owner; cheques issued in two names;

11. Planning & Development Committee and City Council must approve each application;

12. retroactive funding not eligible;

Appendix "H" referred to in Section 18.(a) of the **TENTH** Report of the Planning and Development Committee for **1994.**

ADVISORY COMMITTEE ON GO TRANSIT

PROPOSED PUBLIC PARTICIPATION GUIDELINES - FOR TRAIN STORAGE YARDS

Overall Study Goals and Objectives

A Train Storage Yard Should be Selected Which:

- Meets the operational needs of GO Transit and any other affected railways;
- Is optimal in terms of all environmental factors, including social, economic, physical environment, health, etc.;
- Produces minimal impacts on adjacent residents, in terms of their day-to-day quality of life, especially for residents who live in the immediate vicinity; and,
- Is chosen with full awareness, participation and input by all affected residents and citizens, throughout the entire selection process.

Public Participation Components

- All aspects of the identification, analysis and selection of site(s) for the train storage yard should be carried out with full awareness by, and input from, the following parties:
  - City Council;
  - affected municipal departments within the City;
  - residents and property owners within 300 metres of the perimeter of the proposed yard;
  - affected advisory committees and public interest groups; and,
  - the general public.

- The Planning and Development Department should, together with GO Transit, undertake a public participation process. The Department could assist in the notification of municipal departments, residents and others, if so requested by GO Transit.

General Principles

- attainment of full and meaningful public participation should be a goal;
- provision of information to residents as early in the process as possible, as well as throughout the study and at the end, regarding all proposals and options under consideration, including why actions are proposed and taken, and why decisions made;
- evaluation of yards should not be done on the basis of noise impacts alone, but rather should take into account the full range of possible impacts previously identified by the Advisory Committee on GO Transit and the City of Hamilton, which include safety, effects on property values, air pollution, vibration, loss of Escarpment views, shadows (loss of sunlight), incompatibility with neighbourhood character, and other issues as detailed in reports to the Planning and Development Committee and City Council.

Establishment of Goals and Objectives

- development of a set of criteria by which sites are to be evaluated, which will address the full range of possible environmental impacts;

- notification of all affected parties at all steps of relevant studies, namely site identification, evaluation and site selection, via direct first class mail for those most affected, (namely those residents and property owners within 300 metres of the proposed yard), by means of a full explanatory letter and appropriate map(s); and,
- public discussion and receipt of public comments by means of the holding of public meetings at these key study stages, to be held in the affected neighbourhoods, during the evening. Public meetings are preferable to public information centres, due to the greater sharing of information among all parties.

Identification of Alternative Sites

- inclusion of all possible alternate sites which can be identified; and,
- early notification by GO Transit to residents, general public and municipal staff regarding the location and all ramifications of all alternative sites, including specific identification of issues and possible concerns, such as location, height and number of trains, noise levels, etc. (as much as is available).

Evaluation of Alternative Sites

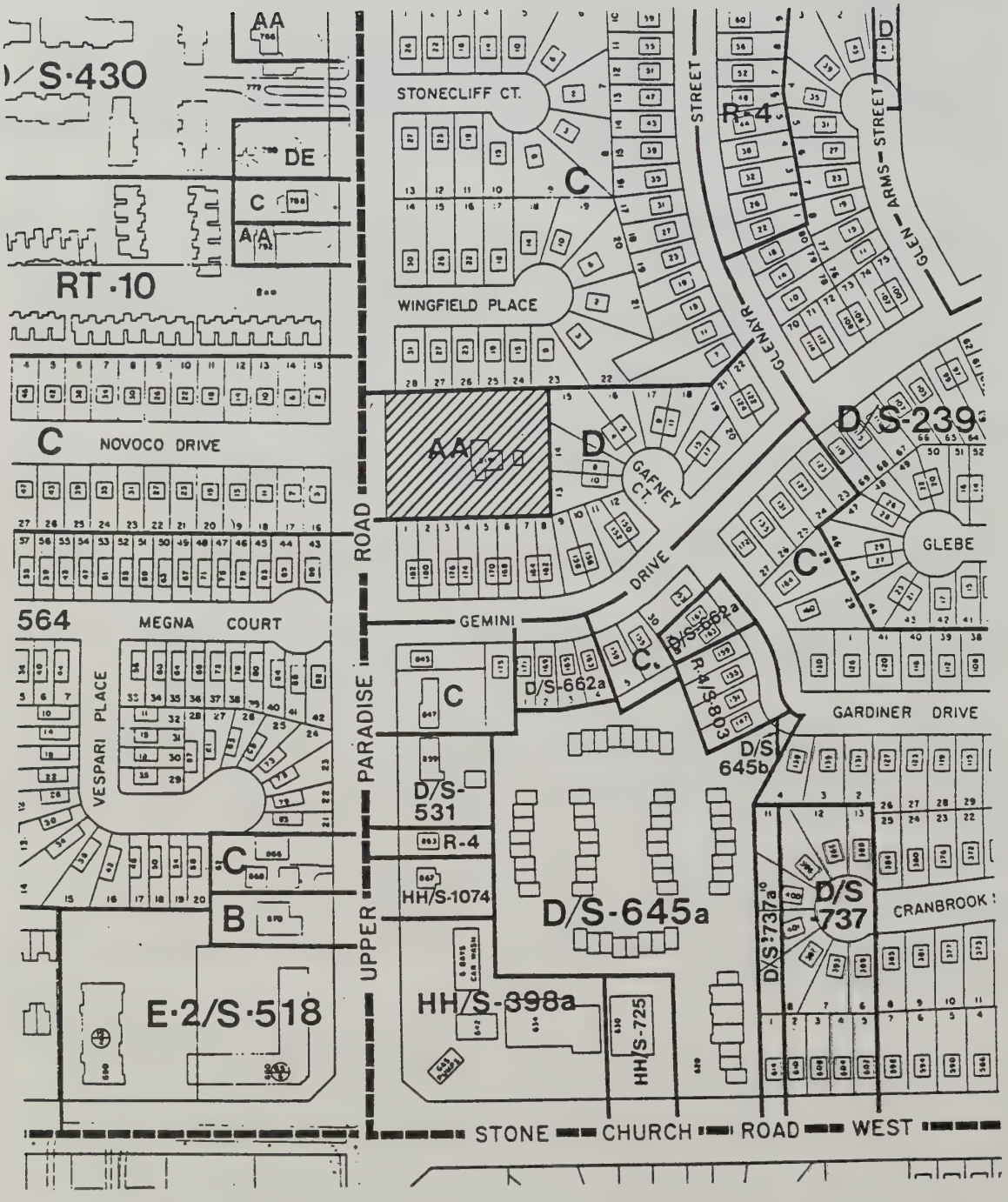
- utilization of the most recent Environmental Assessment procedures to ensure a thorough evaluation of alternate sites;
- inclusion of sites with compatible land use types adjacent to the yard;
- addressing in writing comments made by residents throughout the consultative decision-making process;
- preparation and use of a weighting system for criteria to ensure that most critical factors are given the greatest consideration;
- availability to residents of resources and expertise of municipal staff during evaluation process, such as noise experts; and,
- noise analysis of potential sites would be undertaken by GO Transit and/or the M.O.E., in accordance with the provisions of appropriate governments, and subject to review by the City of Hamilton Noise Control Officer, or equivalent municipal staff, with input from citizens.

Development of Recommendations re Site

- inclusion of comment sheets from residents in final report and recommendations, addressing those concerns noted.

Revised as of April 22, 1994

Appendix "I" referred to in Section 20 of the **TENTH** Report of the Planning and Development Committee for 1994.



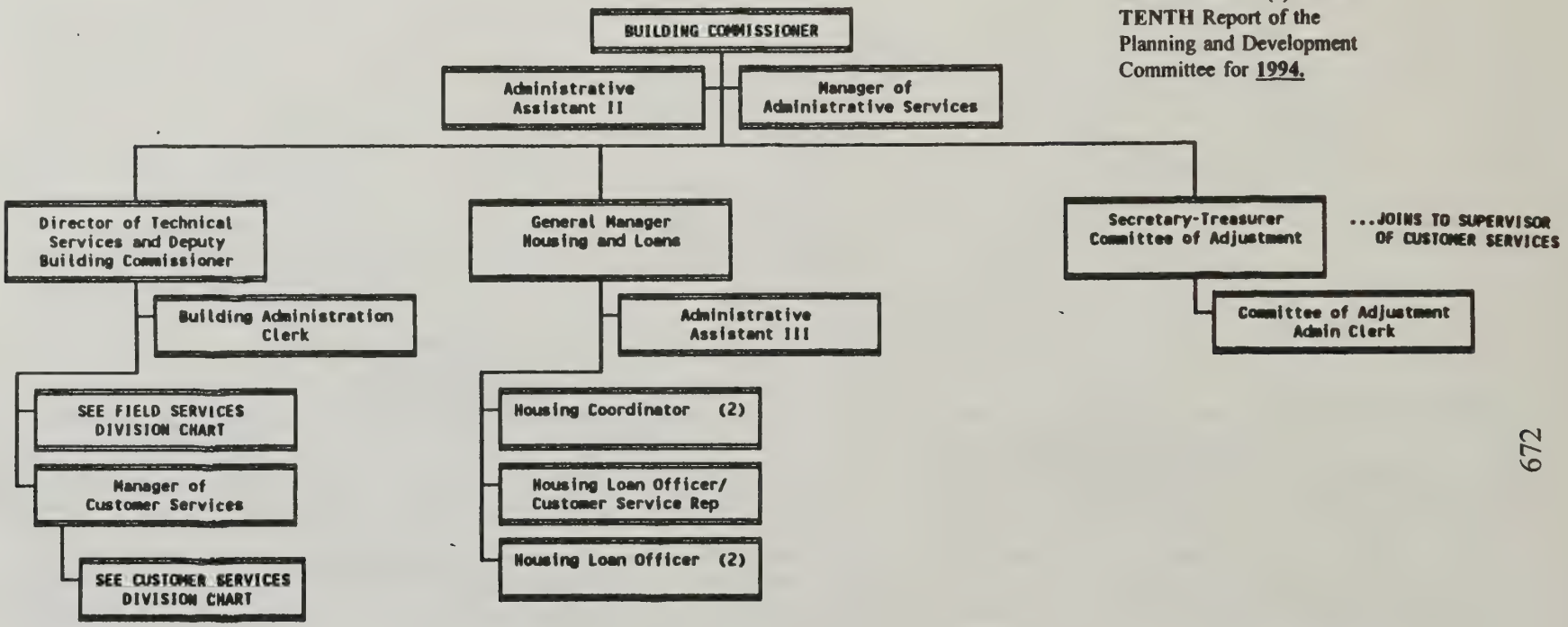
Legend

ZAC-94-07

Site of the Application

BUILDING DEPARTMENT
ADMINISTRATION
Schedule A - Restructuring

Appendix "J" referred to in Section 21.(e) of the TENTH Report of the Planning and Development Committee for 1994.



TOTAL STAFF COMPLEMENT - 85
(Number includes the non-funded positions at right.)

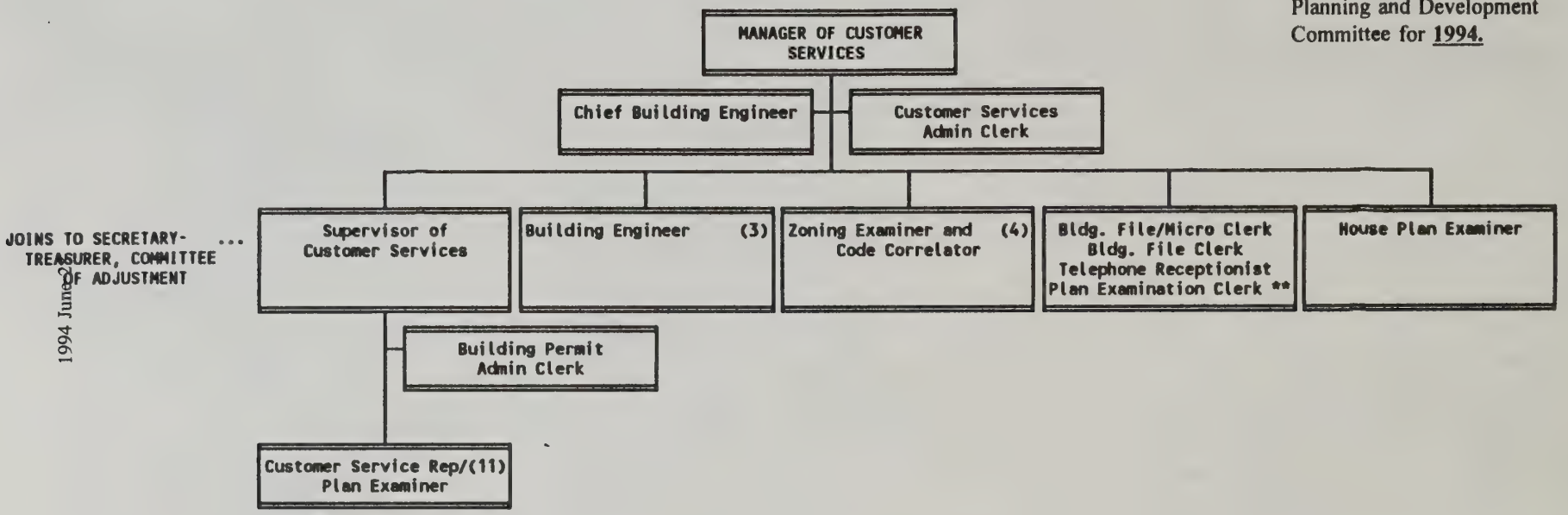
NON-FUNDED: 4 Building Inspectors, 1 Field Services Clerk II, and 1 Plan Examination Clerk

1994 June 28

672

Appendix "K" referred to in Section 21.(e) of the **TENTH** Report of the Planning and Development Committee for **1994.**

BUILDING DEPARTMENT
CUSTOMER SERVICES DIVISION
Schedule B - Restructuring

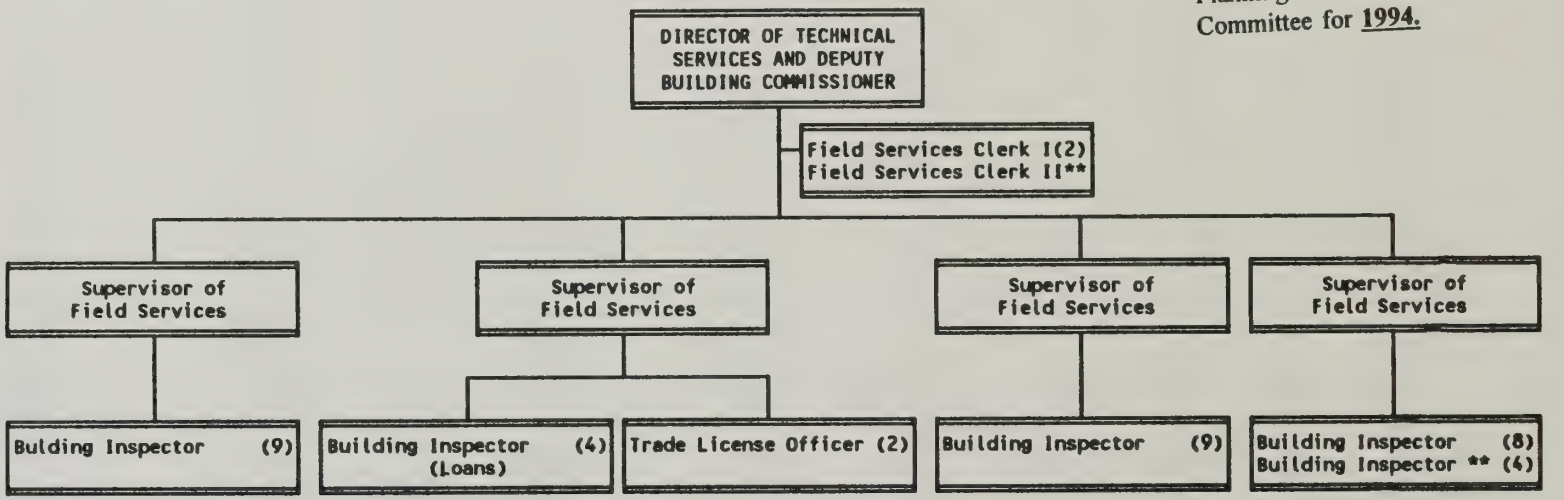


** NON-FUNDED

1994 June 2

Appendix "L" referred to in Section 21.(e) of the **TENTH** Report of the Planning and Development Committee for **1994.**

BUILDING DEPARTMENT
FIELD SERVICES DIVISION
Schedule C - Restructuring *



* (EFFECTIVE MARCH 1, 1996)

** NON-FUNDED

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1994 and respectfully recommends:

1. That the City of Hamilton host a light buffet dinner for the musicians participating in the Organization of Canadian Symphony Musicians Benefit Concert for Ronald McDonald House at the Hamilton Convention Centre on 1994, Sunday August 7th for up to 120 participants at a cost of $11. per person for a total of $1,320. to be charged to the Civic Receptions and Delegate Hosting Account No. CH55314-84010.

2. That the City of Hamilton purchase one sixth of a page at a cost of $540. to provide a message of congratulation on the occasion of the 75th Anniversary of The Sons of Italy and that the cost of this purchase be charged to the Advertising and Promotion Account No. CH56302-12001.

3. (a) That the City of Hamilton host the Fourth Annual Volunteer Centre Indoor Golf Tournament on Friday, 1995 March 3; and,

   (b) That City Hall staff be invited to play the course on the afternoon of Thursday, 1995 March 2, and the morning of Friday, 1995 March 3; and,

   (c) That the Culture and Recreation Department, Special Events Officer, co-ordinate the event with the support of the City's Management Team; and,

   (d) That the City of Hamilton enter a Corporate Team to participate in the event at a cost of $150.; and,

   (e) That this $150. be charged to Unclassified Account Centre 24201 in 1995; and,

(f) That approval be given to use the second floor lobby and the Council Chambers for the registration of participants and the distribution of prizes on Friday, 1995 March 3, from 12:00 o'clock noon to 5:00 o'clock p.m.

4. (a) That an Option to Purchase, duly executed by Investonics Limited (Rein Reio, President), on 1994 June 8, and scheduled for closing on or before 1994 August 19, for the purchase of 100 Locke Street South, more particularly described as all of Lots 29 and 60 and part of Lots 59 and 30, Registered Plan 244, comprising 1,513.387 square metres (16,290.49 square feet) more or less, with frontage along the west side of Locke Street South of 60.999 metres (200.13 feet) more or less, having a depth along the northerly boundary of 22.159 metres (72.70 feet) more or less, and having a depth along the southerly boundary of 30.06 metres (98.62 feet) more or less, being irregular in shape, be approved and completed and the purchase price of $203,631. be charged to Account No. CF 5698 909345006 (Land Acquisition for Parking Purposes - General); and,

(b) That the Option to Purchase be subject to the following terms and conditions which form part of this Agreement:

(i) It is understood that the Vendor is selling as Mortgagee under a power of sale contained in a mortgage made by Casflo Properties Limited to the Vendor, dated 1987 May 21, and registered in the Land Registry Office for the Registry Division of Hamilton-Wentworth as Instrument No. 410699 C.D. on 1987 May 22; and,

(ii) It is further understood that on the date of acceptance of this agreement there is default under the terms of the mortgage which entitles the Vendor to exercise the power of sale. The only evidence of the default, which the Purchaser may require, shall be a statutory declaration by the Vendor setting forth the facts entitling the Vendor to sell under power of sale, including the particulars of the notice of exercising the power of sale, the names of the persons on whom service of the notice has been affected, dates of service, and declaring that default under the mortgage entitling the Vendor to exercise the power of sale has continued up to and including the date of acceptance of this offer. The

Vendor further agrees to register on title evidence of an Assignment of Mortgage to it from the Royal Bank of Canada; and,

(iii) Acceptance by the Vendor is subject to any court order giving the Mortgagor, owner of the equity of redemption or a subsequent encumbrancer the right of redemption; and,

(iv) The Vendor warrants that there are no outstanding or pending claims, damages, actions, suits or proceedings affecting the property in which a proprietary ownership or any other interest has been asserted or an interest which would constitute a prior right lien or security interest to that of the Vendor; and,

(v) (i) Vendor warrants and represents to the Purchaser that the Vendor has made complete disclosure of all material facts and circumstances relating to environmental conditions which to the knowledge of the Vendor; and,

(ii) On completion, the Vendor shall provide to the Purchaser a statutory declaration that the above warranties and representations are still correct and true as of the day of completion; and,

(vi) The Vendor warrants that to the best of its knowledge all underground storage tanks have been removed. Without limitation, the Purchaser shall have the right to enter at any time until completion on the property and carry out any inspections, tests and investigations as it thinks necessary; and,

(vii) By written notice given to the Vendor at any time prior to completion, the Purchaser may terminate this Agreement of Purchase and Sale if the Purchaser determines that an environmental problem exists on the property, of which the Purchaser shall be the sole judge. The Vendor shall return the City's deposit in full forthwith upon receipt of written notice; and,

(viii) That this Option to Purchase Agreement is subject to the approval of the Board of Directors of the Hamilton Parking Authority and City Council on or before 1994 July 5; and,

(ix) It is understood and agreed that the final purchase price shall be calculated by applying a rate of $12.50 for each square foot of land. This may result in an upwards or downwards adjustment to the approximate purchase price stated on the face of this Option to Purchase; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5. (a) That the use of a 30 metre (100 foot) by 30 metre (100 foot) more or less, parcel of land located at the rear of 240 Burlington Street East by the North Hamilton Community Health Centre for a garden project be approved; and,

(b) That the City Solicitor be directed to prepare the necessary agreement; and,

(c) That this approval continue until such time as the subject lands are required for municipal purposes, as long as the North Hamilton Community Health Centre comply with the terms of the above noted agreement; and,

(d) That all cost associated with the preparation, planting, providing of water, maintenance, harvesting and security of the garden project site are to be borne by the North Hamilton Community Health Centre; and,

(e) That the City, during the term of this agreement, prescribe the hours of operation of the project; and,

(f) That the North Hamilton Community Health Centre provide proof of premises and operation insurance in the amount of not less than $2,000,000. for bodily injury, death and damage to property, including loss of property, naming the City as an additional insured; and,

(g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

6. (a) That responsibility for two of the three Electrical/Electronic Technicians currently employed with the Building Operations and Maintenance Division (Central Utilities Plant) of the Property Department be transferred, effective 1994 August 1, to the Hamilton Entertainment and Convention Facilities Inc., (HECFI), pending acceptance of this proposal by the H.E.C.F.I. Operations Committee at its meeting scheduled for 1994 July 13; and,

(b) That the appropriate funding and necessary payroll changes be effected by the Treasury Department, with the co-operation of both the Property Department and H.E.C.F.I..

7. (a) That Underwriters Adjustment Bureau Ltd. be appointed as the City's Claims Adjusters for liability and property damage claims for a three year term commencing 1994 July 1 and ending 1997 July 1 (subject to annual review by appropriate City staff) with an option to renew for each of the subsequent two years; and,

(b) That Underwriters Adjustment Bureau Ltd. be required to sign Terms of Engagement satisfactory to the City Solicitor; and,

(c) That Crawford and Company Adjusters Ltd. continue to be retained by the City to complete those claim files assigned to it as of 1994 June 30.

8. That the City Solicitor be authorized to make an application for special legislation to allow the City of Hamilton to enact, enforce and collect fines for infractions of it's own By-law(s) for Fire Prevention within the City, consistent with the Fire Code and the Fire Marshals Act.

9. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Hess Village Jazz Festival taking place 1994 July 14, 15, 16 and 17, and in this regard has no objection to the issuance of a temporary extension of liquor licence for The Gown and Gavel, 24 Hess Street South for this event, on the condition that police security arrangements, satisfactory to the Hamilton-Wentworth Regional Police, are made.

10. That Regional Council be advised that the City of Hamilton is opposed to the proposed changes to the Regional Development Charges By-law specifically policies A-2, A-4, A-11, and A-13 for the following reasons:

    (a) The new increased charges will adversely affect development; and

    (b) The increased charges will adversely affect redevelopment of previously developed property; and

    (c) The study gives greenfield development an unfair advantage over redevelopment; and

    (d) The proposed policy changing to a charge based on building area will adversely affect large complexes.

11. (a) That, in accordance with the Municipal Tax Sales Act, the City, upon the recommendation of the City Treasurer, be authorized to enter into extension agreements with the owner of lands (or the spouse) where a property has been registered for tax arrears and is prior to the expiry of the one year redemption period, in order to extend the payment period in which the cancellation price may be paid; and,

    (b) That the extension agreements be administered by the City Treasurer in accordance with the following policy:

        (i) That the maximum period permitted by an extension agreement be 24 months and all tax arrears, including accumulated penalties, interest and costs, must be paid in full within this period, either through equal monthly instalments or by means of equal monthly instalments together with one or more lump sum payments of the outstanding balance; and,

        (ii) That all current instalments of realty taxes and any special charges added to the tax roll must be paid in full as they fall due as part of the payment arrangements; and,

(iii) That the owner(s) will provide the City Treasurer with a series of postdated monthly cheques in the number and amount as required by the extension agreement; and,

(iv) That the City Treasurer will only enter into an extension agreement if both of the following conditions exist:

(a) The owner's business taxes must be in good standing or satisfactory payment arrangements must exist prior to entering into an extension agreement; and,

(b) The amount of the cancellation price must be less than 75% of the land's fair market value as estimated by the Property Department.

(v) That default by the owner on any payment under the extension agreement (including payment of current realty taxes) will result in the termination of the extension agreement; and,

(c) That the City Treasurer be directed to submit a by-law required by the Municipal Tax Sales Act, to authorize each agreement, to City Council for approval; and,

(d) That the Mayor and City Clerk be authorized to execute each Extension Agreement, in a form satisfactory to the City Solicitor.

12. (a) That the position of "Taxation Analyst", be declared redundant upon the retirement of the present incumbent and deleted from the complement of the Treasury Department; and,

(b) That a position entitled "Collection Clerk/Taxation" be created and added to the complement of the Treasury Department; and,

(c) That this position be assigned a temporary rating and be subject to review by the Maintenance Committee after a 6 month period to establish final classification; and,

(d) That the Commissioner of Human Resources be authorized to post and fill the Collection Clerk/Taxation position.

13. (a) That the City of Hamilton advise the Minister of Finance of its objection to the Provincial charge for supplementary assessments which was established without consultation and with inadequate notice to municipalities, and;

(b) That the City of Hamilton give its full support to the Association of Municipalities of Ontario in its objections to the new provincial charge for supplementary assessments; and,

(c) That the Treasurer take the resultant City cost into account in subsequent reporting on the status of the 1994 Current Budget.

14. That the City exercise its option to extend the existing purchase orders for the supply and delivery of Gasoline and Diesel Fuels to various City Departments as and when required for one additional year to 1995, June 30, as follows:

(a) To Esso Imperial Oil, Willowdale for Premium and Unleaded Gasoline
(b) To Petro Canada Inc., Toronto for #2 Diesel Fuel
(c) To Shell Canada, Toronto for #1 Diesel Fuel

15. That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing as and when required during 1994 to Purchasing Stores, being the lowest of five tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Stores Inventory Account No. CH56103 28999, as follows:

(a)	Grey Trousers	$13.27 each
(b)	Short Sleeve Grey Shirts	12.27 "
(c)	Long Sleeve Grey Shirts	13.97 "
(d)	Grey Overall Jackets	28.97 "
(e)	Grey Overall Pants	27.97 "
(f)	Grey Crested Coveralls	27.97 "

Applicable taxes extra

16. That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, to supply and deliver Fatigue Uniforms as and when required during 1994 by the Hamilton Fire Department, being the lowest acceptable of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Uniforms, Clothing Account No. CH 56104 48001, as follows:

(a)	Short Sleeve Shirts (each)	$23.97
(b)	Trousers (each)	$33.97
(c)	Uniform Jackets (each)	$26.97

All taxes extra

17. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 June 15, attached herewith and marked Appendix "A", be approved.

18. That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, contract, attached herewith and marked Appendix "B", be received pursuant to the Fair Wage Policy of the City of Hamilton.

19. (a) That permission be granted to the United Way Committee of the Regional Municipality of Hamilton-Wentworth to use the City Hall forecourt on Wednesday, 1994 July 6 from 11:00 o'clock a.m. to 2:30 o'clock p.m. for the Region's Annual United Way Barbecue; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

20. (a) That approval be given to the request of the Canadian Football Hall of Fame & Museum to use the grassed area located on the east side of City Hall for a lunch area for students participating in Hall of Fame educational programs, Monday to Friday, from April to September, 1994; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

21. (a) That approval be given to the action taken by the City Clerk in authorizing John W. Harvey Real Estate Company Ltd. to use the City Hall forecourt on Wednesday, 1994 June 15, at 11:30 o'clock a.m. for an official kickoff for a fund raising trip on behalf of the Shriners Hospitals for Crippled Children; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

22. (a) That approval be given to the action taken by the City Clerk in authorizing Hamilton Habitat for Humanity to use the City Hall forecourt (or Room 233, in the event of inclement weather) on Friday, 1994 June 17 at 3:00 o'clock p.m. for a welcoming ceremony to raise awareness of the need for affordable housing; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

23. (a) That approval be given to the Canusa Games Board of Directors to use the City Hall forecourt on Thursday, 1994 August 4 from 11:00 o'clock a.m. to 1:00 o'clock p.m. for the purposes of holding its 1994 Canusa Games Torch Send Off; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

24. (a) That approval be given to the request of the Hamilton Area March for Jesus Co-Ordinating Committee to be provided with dedicated electrical service to power lighting and sound on the forecourt during the March for Jesus Rally on Saturday, 1994 June 25 from 9:00 o'clock a.m. to 5:00 o'clock p.m.; and,

(b) That approval be given to the request of the March for Jesus Co-Ordinating Committee to use Room 264 for a reception area for dignitaries on Saturday, 1994 June 25 from 2:00 o'clock p.m. to 4:00 o'clock p.m.; and,

(c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

25. For the information of the members of City Council, the Finance and Administration Committee have appointed Eleanor Johnstone and Sandy Shaw to serve on the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30th.

26. That the letter attached hereto and marked as Appendix "C" respecting the availability of french-speaking volunteers, translators and interpreters be forwarded to the Hamilton Entertainment and Convention Facilities Inc. (HECFI) and the Region's Economic Development Department encouraging them to include a copy of this letter in all Conference and Convention packages distributed to groups organizing Conferences and Conventions in the City of Hamilton.

27. That the analysis of the transactions of the City's development charges reserve for the year 1993, attached herewith and marked Appendix "D", be received.

28. That as referred to in Section 27 of the Ninth Report for 1994 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct a finished roadway, concrete curbs and sidewalks on both sides of Ferguson Avenue between Cannon and Barton Streets under the Local Improvement Act at an estimated cost of $670,000., with a City's share of $334,049.50 to be financed from the 1994 Capital Levy (Account Centre No. CH 22002) and the balance of $335,950.50 being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $335,950.50 for a term not to exceed 20 years for the above project.

29. That as referred to in Section 26 of the Ninth Report for 1994 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-law to construct an independent concrete sidewalk on the west side of Upper James Street from Rymal Road to Christopher Drive under the Local Improvement Act at an estimated cost of $82,400., with a City's share of $44,524. to be financed from the 1994 Capital Levy (Account Centre No. CH22002) and the balance of $37,876. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $37,876. for a term not to exceed 20 years for the above project.

30. That as referred to in Section 22 of the Ninth Report for 1994 of the Transport and Environment Committee, the City's share of services in the following subdivisions:

    (a) Highridge South - Phase 2 at a cost of $9,869.80
    (b) Rose Gardens - Phase 2 at a cost of $29,602.
    (c) Sandrina Gardens - Phase 2 at a cost of $52,680.

    for a total of $92,151.80, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

31. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Denny Williams 911 Baseball Tournament Social planned by the Hamilton-Wentworth Police Association to take place on the Association's parking lot at 555 Upper Wellington Street on Saturday, 1994 July 16th, and in this regard has no objection to the issuance of a temporary extension of liquor licence for this event.

32. (a) That the City increase its Offer to Settle in Ontario Court (General Division) Action No. 26723/91 from $5,000. inclusive of all claims for damages, interest and costs, to $6,250. inclusive of all claims for damages, interest and costs; and,

    (b) That all other terms of the Offer to Settle remain the same.

33. (a) That the Director of Property and the City Treasurer be authorized to proceed with the following security enhancements in the Treasury Department:

        (i) The installation of clear glass partitions above the marble access counters, with appropriate openings to allow communication with the public; and,

        (ii) The installation of regular doors with appropriate security at the east and central entrances to the Treasury Department; and,

        (iii) The installation of an exit only door adjacent to the Treasurer's office at the west end of the Treasury Department; and,

        (iv) Modifications to the Treasury Department security vault at the east end of the office; and,

(b) That the estimated costs for the above security improvements in the amount of $50,000. be financed from Account CF 3191 41004 - Security Improvements Requirements - City Hall and Account CF 3191 41003 - Accommodation Requirements - City Hall.

34. That outstanding business taxes in the amount of $338,522.96 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990, and charged to Account CH 53401 24106.

35. That outstanding Accounts Receivables totalling $33,220.17 be written-off and charged to Account CH 15401 00001.

36. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Hess Village Jazz Festival taking place 1994 July 14, 15, 16 and 17, and in this regard has no objection to the issuance of a temporary extension of liquor licence for Amigo's Hothouse, 115 George Street, for this event, on the condition that police security arrangements, satisfactory to the Hamilton-Wentworth Regional Police, are made.

37. That as referred to in Section 12 of the Ninth Report for 1994 of the Transport and Environment Committee, the following funding mechanism be approved:

(a) That the reconstruction of the paving stone roadway, concrete curbs and repair of paving stone sidewalks on the south leg of King Street between John and Hughson Streets in the amount of $150,000. be financed as part of the Canada/Ontario Infrastructure Program replacing the reconstruction of Hunter Street between John and James Streets; and,

(b) That the Project Manager for the Canada/Ontario Infrastructure Program - Road and Sidewalk Reconstruction Program be directed to advise the Ministry of Municipal Affairs of the change in the program on receipt of its approval which is expected around the end of June 1994; and,

(c) That the Director of Public Works be directed to consider the reconstruction of Hunter Street between John and James Streets within the 1995 Road Reconstruction Program and present his report to the Transport and Environment Committee during the 1995 Capital Budget process.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Anderson, D'Amico. -11.

NAYS: Alderman Jackson. -1.

38. That as referred to in Section 17 of the Tenth Report for 1994 of the Parks and Recreation Committee, the rehabilitation of the King's Forest Tennis Courts in the amount of $72,000. and a geotechnical investigation on all 44 public tennis courts in the amount up to $7,000. to a total of $79,000. be allocated out of the 1994 Capital Contingency Account and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

39. That as referred to in Section 28 of the Tenth Report for 1994 of the Parks and Recreation Committee, the installation of Rubber Sports Flooring at Lawfield Arena and Rosedale Arena at an estimated cost not to exceed $63,000. be allocated out of the 1994 Capital Contingency Account and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

40. That as a result of experience acquired from the City's role in the 1993 September declared State of Emergency relating to the exposure of the public to mercury and other chemicals (the USARCO incident), the following recommendations relating to the City's Emergency Preparedness By-law and abandoned property generally, be approved:

(a) That the City's Emergency Preparedness By-law (the "Municipal Emergency Plan", By-law 86-164) with respect to the area of Communication, Financial and further amendments, be revised to incorporate the following:

<u>Communications:</u>

(i) That the Mayor (or Acting Mayor) be the designated spokesperson for the City of Hamilton in the event of a declared State of Emergency; and,

(ii) That the Chief Administrative Officer and the Emergency Response Team, be authorized to:

(1) Designate the appropriate municipal department or outside agency to be the lead technical resource for the Emergency; and,

(2) Where a municipal department is designated as the lead technical resource, the Emergency Response Team shall select the Spokesperson from the municipality to be the sole technical Spokesperson on the emergency under the direction of the Mayor; and,

(3) Where an outside agency is the lead technical resource, the Emergency Response Team shall work in conjunction with the lead technical resource and the Spokesperson designated by such outside agency shall be the sole technical Spokesperson on the emergency in conjunction with the Mayor; and,

(4) Provide advice, where requested by the Mayor, on the extent of a State of Emergency intended to be declared, including the appropriate outside agencies to be consulted or notified, and the area of the emergency to be specified, if any; and,

(iii) That press releases be prepared and released by the Mayor with the advice of the technical Spokesperson of the lead resource, namely the municipal department or outside agency, as the case may be; and,

(iv) That where a declared State of Emergency affects schools or school students, that the Directors of Education for the Boards of Education be contacted as soon as possible about the State of Emergency. Each school board shall be requested to provide its emergency communication representatives to the Chief Administrative Officer for inclusion in the City of Hamilton Emergency Plan; and,

(v) That where a declared State of Emergency affects matters related to the Hamilton Harbour, that the Hamilton Harbour Commission be contacted as soon as possible about the State of Emergency.

The Hamilton Harbour Commission shall be requested to provide its emergency communication representatives to the Chief Administrative Officer for inclusion in the City of Hamilton Emergency Plan.

Financial:

(vi) That in accordance with the City's Emergency (purchasing) Procedures (under the City's Purchasing Policies, two of three of the Mayor, the Chief Administrative Officer or Chairman of a Committee), - approval may be granted to incurring and payment of expenses necessary to fulfil the City's responsibilities in its response to a declared State of Emergency; and,

(vii) That the City Treasurer be authorized to charge such expenses to the City's reserve for contingencies; and,

(viii) That staff be authorized to initiate steps to recover those expenses (if any) which are subsequently identified as the obligations of other parties; and,

(ix) That staff be directed to not reimburse persons or outside public agencies for expenses incurred by them, unless such expenses were incurred in areas of City responsibility. The onus is on each person and outside agency to pay its expenses arising from an emergency and, if necessary, to recover such expenses from the persons liable at law for such expenses. The City is not responsible to reimburse others for expenses which they ought to recover from the persons liable at law for them; and,

Further amendments to the City's Emergency Plan:

(x) That a joint Task Force be reconvened annually in May by the Chief Administrative Officer to identify and prepare for Council approval amendments to update the City's Emergency Plan; and,

(xi) That employees of the Region and the Boards of Education and other outside agencies be consulted and/or requested to participate in the City's annual review of its Emergency Plan; and,

(xii) That the initial joint Task Force complete its review of the City's Emergency Plan and report to the Finance and Administration Committee by 1995 May 31.

(b) That the following recommendations respecting abandoned properties be approved:

Abandoned properties:

(i) That with regard to abandoned contaminated properties, the Minister of Environment and Energy be encouraged and requested to exercise his environmental protection jurisdiction by, amongst other initiatives, taking the following actions:

(1) To delegate his authority to issue Orders under the Environmental Protection Act to the Hamilton Office of the Ministry in order that there may be an immediate response by the MOEE to environmental emergencies in Hamilton that pose a threat to the public and the loss of time involved in having such Orders issued personally by the Minister at Toronto may be avoided; and,

(2) To direct the Ministry's administration to exercise the MOEE's broad jurisdiction and authority under the Environmental Protection Act to take immediate action where required in the interests of public safety by issuance of Orders to require the owners (and/or other persons in control) of such abandoned contaminated properties:

(aa) To comply with the environmental standards; and,

(bb) To appropriately secure the properties from access by the public; and,

(cc) To take all required remedial action, including removal of toxic wastes and contaminants as well as restoration of the property.

(3) To direct the Ministry's administration:

(aa) To monitor abandoned properties in Hamilton to identify those that are contaminated and/or may become a potential hazardous source of contamination; and,

(bb) To continue the preparation and circulation of the MOEE's inventory of contaminated properties to the Region (Public Health, Environmental Services, C.A.O.Attention, Emergency Preparedness Officer) and to the City (Building, Fire and Treasury Departments).

(4) To investigate and consider establishing sources of funding for the cleanup of abandoned contaminated properties through the Ontario Environmental Compensation Corporation or such other fund as the Minister may deem appropriate, in order that such properties may cease to be a threat or potential threat to public safety and placed back into productive use for the benefit of the local and Provincial economy; and,

(ii) That the City Treasurer, in handling the collection of realty tax arrears of abandoned industrial properties, be directed to consider the environmental conditions of such properties in selecting the appropriate method (court action, tax sale or distress) to recover such arrears in order that environmental cleanup obligations are not incurred by the City. The Treasurer shall consult with the MOEE and its inventory of contaminated abandoned industrial sites and the Property Department for assistance; and,

(iii) That regarding abandoned properties which appear to have combustible materials that may pose a fire hazard, the Fire Department be directed to continue to administer the Ontario Fire Code and the Fire Marshall's Act by carrying out, among other duties, the following:

(1) Assessing such known buildings that have accessible combustible materials upon request or upon reasonable grounds (especially those included in the MOEE's inventory of contaminated abandoned industrial sites); and,

(2) Administering the Fire Marshall's Act to require such buildings of combustible construction or containing combustible materials (or both) that are open to trespass, to be secured; and,

(3) Providing technical advice and firefighting services where required to prevent contaminated buildings identified by the MOEE from becoming a fire hazard; and,

(4) In carrying out its duties, to notify other departments and outside agencies, including the following: The Building Department, the Regional Public Health Department and the Ministry of Environment; and,

(iv) That the Building Department be directed to continue, in accordance with Council's policies, to administer the Property Standards By-law and the Building Code, by carrying out, among other duties, the following:

(1) Assessing upon request or upon reasonable grounds, such known abandoned properties that may endanger public safety (especially those included in the MOEE's inventory of contaminated abandoned industrial sites); and,

(2) That in carrying out its duties, to notify other departments and outside agencies, including the following: the Fire Department, the Regional Public Health Department and the Ministry of Environment.

41. (a) That a purchase order be issued to Stremler Equipment Service Ltd., Ancaster, in the amount of $80,399.80 including all applicable taxes, for the supply of new and removal of old fuel tanks and related piping, removal and replacement of 6 concrete slabs and roof slab and the removal of a fire hydrant at the Central Fire Station, being the lowest of (3) three acceptable quotes received, in accordance with the Form of Tender issued by the Manager of Purchasing and Vendor's submission; and,

(b) That this expenditure be financed through Account No. CF 489441034.

42. That leave be granted to introduce the following Bill:

D-22 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

43. That Street Vendor locations be awarded for the balance of 1994 to the successful proponents, one cart per location, as listed, subject to confirmation of the following:

a) the products offered for sale are approved by the Hamilton-Wentworth Regional Health Department; and,

b) the proposals/bids remain unchanged following the review by the Health Department; and,

c) the proponent enters into a legal agreement satisfactory to the City Solicitor.

NAME	CART LOCATION	PRODUCT	FEE
Helen Pawlowski	S/W Corner of King & James	Sausage/Hot Dogs/Soft Drinks	$1,200
Hanna & Krzysztof Zarzycki	Court House	Sausage/Hot Dogs/Soft Drinks	$ 500
Ewa & Edward Cawricz	Stelco Tower	Sausage/Hot Dogs/Soft Drinks	$1,200
"Willy Dog"	City Hall Forecourt	Sausage/Hot Dogs/Soft Drinks and other products subject to Health Dept. approval	$1,501
"StrEATables" Vending	Pier 4 Park	Sausage/Hot Dogs/Soft Drinks	$1,000
"StrEATables" Vending	Dundurn Park (Pavilion area)	Sausage/Hot Dogs/Soft Drinks or Ice Cream	$ 250
rEATables" Vending	N/E Corner James & Wilson	Ice Cream	$ 150
"Mocha Moments"	Standard Life Bldg. (King & Bay)	Gourmet Coffee, Cappuccino, Expresso	$ 250

ADDED.

Recorded vote on Cart Location for Court House and City Hall Forecourt

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

RESPECTFULLY SUBMITTED,

ALDERMAN B. CHARTERS, VICE-CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1994 June 23

R/dg

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

Appendix "A" referred to in Section 17 of the TENTH Report of the Finance and Administration Committee for 1994.

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Stephen Bailey	I	Sanitation Worker (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 23/94
Mr. Frank Biancucci	I	Assistant Chief Fire Prevention Officer (C-9A)	Fire	Replacing Mr. J. Winn - promoted, March 27/94	$62,736.93	May 08/94
Mr.Frank Brohman	I	District Chief (C-11)	Fire	Replacing Mr. G. Almas - promoted, March 27/94	$66,992.60	May 08/94
Mr. Luigi Cialini	I	Rink Attendant I (D-16)	Culture & Recreation	Replacing Mr. F. Digiambattista - retired Jan. 15/94	$36,780.64	May 16/94
Mr. Richard Dejong	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94

Prepared June 15/94

Status	
Internal	I
External	E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. David Factor	I	District Chief (C-11)	Fire	Replacing Mr. A. Vandenakker - promoted, March 27/94	$66,992.60	May 08/94
Mr. Paolo Faustini	I	Lead Hank/Truck Driver (D-19)	Public Works	Replacing Mr. G. Rinaldo - retired, Feb. 28/94	$37,876.80	May 24/94
Mr. Michael Green	I	Forester II (D-18)	Public Works	Replacing Mr. R. Linger - retired, May 31/94	$37,510.72	May 16/94
Ms. Gail Habinski	I	Parking Control Officer (13-I)	Traffic	Additional Staff - Approved by City Counsel December 14/94	$32,560.32 to $37,396.32	May 23/94
Mr. William Hatherly	I	Sanitation Worker (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Mr. Alex Kupi	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 24/94

Prepared June 15/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Tim Lacasse	I	Sanitation Worker (2-Man Crew) (D-15G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Ms. Sharon Luke	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Mr. Randall Maracle	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Mr. Paul Marchese	I	District Chief (C-11)	Fire	Replacing Mr. E. Blundell - retired, Oct. 27/93	$66,992.60	May 08/94
Mr.Gordon Meuller	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Mr. Tim Mountain	I	Utilities Maintenance Operator (9-B)	Property	Replacing Mr. W. Murphy - resigned, May 03/93	$41,346.24	May 01/94

Prepared June 15/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Dave Munro	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 16/94
Mr. James Pearson	I	Sanitation Worker (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94
Ms. Dina Sanvidotti	I	Parking Control Officer (13-I)	Traffic	Replacing Ms. E. Wigmore - resigned, Feb.04/94	$36,670.40	May 16/94
Mr. Joe Scala	I	Sanitation Worker (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94
Mr. Stefan Sobolewski	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94

Prepared June 15/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Louise Spallachi	I	Support Services Technician (22-G)	Information Systems	Replacing Ms. D. Sanche - appointment, June 21/93 K. Goodfellow - resigned, June 18/93	$38,891.32 to $44,994.04	June 21/93
Mr. C. Speight	I	District Chief (C-11)	Fire	Replacing Mr. R. Cober - retired, Oct. 31/93	$37,923.00 to $44,285.80	May 02/94
Mr. John Stevenson	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94
Mr. Manuel Tabone	I	Sanitation Worker (2-Man Crew) (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94
Mr. David Thomas	I	Sanitation Worker (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 09/94
Mr. J. Warden	I	District Chief (C-11)	Fire	Replacing Mr. P.S. Dickinson - retired, Oct. 28/93	$66,992.60	May 08/94

Prepared June 15/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Brian Anderson	School Crossing Guard	Traffic	Terminated	1 month	April 17/94
Mr. Ron Drumm	Lead Hand/Truck Driver	Public Works	Retired (Early)	9 years, 3 months	May 31/94
Mr. Peter Durant	Yard Attendant	Public Works	Terminated	22 years, 8 months	May 04/94
Mr. Donald Gill	Sports Groundskeeper II	Public Works	Retired (Early)	20 years	March 31/94
Mr. Walter Korinowsky	Stage Property Master	H.E.C.F.I.	Resigned	15 years	May 18/94
Mr. Joel Kyle	Probationary Firefighter	Fire	Terminated	2 years, 8 months	May 25/94
Mr. Robert Linger	Forester II	Public Works	Retired (Early)	22 years, 10 months	May 31/94

Prepared June 15/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Frank Liota	Sports Groundskeeper II	Public Works	Retired (Early)	31 years	May 31/94
Ms. Marilyn Madden	Aquatic Supervisor	Culture & Recreation	Retired (Early)	19 years	May 31/94
Ms. Jacqueline Maxwell	Historical Interpreter	Culture & Recreation	Resigned	1 year, 6 months	May 22/94
Mr. Steven Smith	Fire Communications Operator	Fire	Resigned	8 years, 10 months	May 14/94
Mr. Manuel Tabone	Porter	Convention Centre	Resigned	9 months	May 08/94

Prepared June 15/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

United Brotherhood of Carpenters and Joiners of America, Local 18

Appendix "B" referred to in Section 18 of the TENTH Report of the Finance and Administration Committee for 1994.

Duration of Agreement - August 1, 1992 to April 30, 1995

JOURNEYMAN CARPENTER (Zone 1 Hamilton)

DATE	HRLY. WAGE RATE	VAC. PAY	PENS.	WELFARE	TOTAL WAGE PKG.
May 1/94	$26.22	2.62	2.20	1.35	$32.39
Nov. 1/94	$26.99	2.70	2.20	1.35	$33.24

Appendix "C" referred to in Section 26 of the TENTH Report of the Finance and Administration Committee for 1994.

Dear Conference/Convention Organizer:

On behalf of City Council and his Worship the Mayor, the French Sub-Committee welcomes all french-speaking delegates who are attending Conferences/Conventions in the City of Hamilton.

In 1985, City Council established the French Sub-Committee to provide a liaison between the City of Hamilton and the francophone community to affirm the presence of the francophone community within the City of Hamilton; to assist the francophone community to participate in those aspects of municipal affairs directly related to the concerns of the francophone community; and, to work with the francophone community toward extending the availability of french language services within the City of Hamilton.

In keeping with its Mandate, the French Sub-Committee would be pleased to provide french-speaking volunteers, free of charge, to assist the french-speaking delegates who may be attending your Conference/Convention.

In the past, the French Sub-Committee has provided similar services, with great success, at the Ontario Seniors Games, the Judo Canada Championships, the Pan-Am Games, the Federation of Canadian Municipalities Conference and Actifest, to mention only a few.

This service is particularly beneficial to those French-speaking delegates not familiar with our City and who require special provisions when registering or at special events held throughout the course of the Conference/Convention.

While the Committee can provide volunteers to assist with french-speaking delegates, the Committee does not have the ability to provide simultaneous interpretation or translation of materials. We would be pleased however, to provide you with a list of private translators and interpreters who can provide services on a fee for service basis.

If you are anticipating french-speaking delegates at your Conference/Convention, I am sure that they will appreciate your efforts in making materials and services in french available to them. The Committee would be pleased to assist you in this regard.

Additional information can be obtained by contacting the Secretary of the French Sub-Committee at (905) 546-3994.

Appendix "D" referred to in Section 27 of the TENTH Report of the Finance and Administration Committee for 1994.

DEVELOPMENT CHARGE RESERVE FUND
STATEMENT OF CONTINUITY
FOR THE YEAR ENDED DECEMBER 31, 1993

	Total $	Recreational Facilities $	Parks $	Libraries $	Fire Stations $	Roads & Street Lighting $	Traffic Building and Signs $
Balance at the beginning of the year	3,331,053	894,952	488,659	338,855	566,780	979,844	61,963
Development charges received or receivable	1,225,674	394,072	215,169	149,206	125,898	331,453	9,876
Development charges refunded	(20,799)	(1,584)	(865)	(600)	(8,648)	(7,916)	(1,186)
Interest Earned	203,377	65,853	35,957	24,934	20,297	54,790	1,546
	4,739,305	1,353,293	738,920	512,395	704,327	1,358,171	72,199
Transferred to the capital fund	0	0	0	0	0	0	0
Amounts allocated to other services	0	0	0	0	0	0	0
Balance at the end of the year	$4,739,305	$1,353,293	$738,920	$512,395	$704,327	$1,358,171	$72,199

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. That the Taxi Cab Driver Licence Renewal Application of Inderjit Molhotra, 11 Kendale Court, #102, Hamilton, be denied.

   Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED,

ALDERMAN T. COOKE, CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary
1994 June 8

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1994 and respectfully recommends:

1. That Alderman Kiss be appointed Chairman of the Committee of the Whole for a three (3) month term July to September, 1994.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE

J.J. Schatz, Secretary
1994 June 28

URBAN MUNICIPAL

AUG 8 1994

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1994 July 26
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman B. Charters - vacation

Mayor Morrow called the meeting to order.

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The Council meeting commenced with the playing of the National Anthem.

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Father James Valk, C.R., Pastor of St. Joseph's Roman Catholic Church led Council in Prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition to Pat Jaggard in memory of Bob Jaggard who served on the Keep Hamilton Clean Committee.

ADOPTION OF MINUTES

The minutes of the regular meeting held 1994 June 28 were adopted as circulated.

PETITIONS AND CORRESPONDENCE

1. Petition received 1994 July 4 requesting declaration of Lesbian and Gay Pride Day and Lesbian and Gay Pride Week.

Received.

2. Memorandum dated 1994 July 22 from the Mayor's Office respecting letter/petition and phone calls received in opposition to the declaration of Lesbian and Gay Pride Week.

Received.

3. Application dated 1994 July 20 from the Municipal Non Profit (Hamilton) Housing Corporation, City Hall, Hamilton, Ontario for modifications to the "H" (Community Shopping and Commercial, etc.) District regulations (Block "1" and to the "D" (Urban Protected Residential - One and Two - Family Dwellings etc.) District regulations (Block "2"), for lands located at No. 384 Barton Street East and No. 109 Smith Avenue, Hamilton, Ontario.

Received.

4. Application dated 1994 July 11 from Chedoke Health Corporation (Murray Halpren, Vice President, and Sandra Stephenson, Director), Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"), "A" (Conservation, Open Space, Park and Recreation) District (Blocks "2" and "4") and "R-4" (Small Lot Single - Family Dwellings) District, (Block "3") for lands located between Scenic Drive and Chedmac Drive, west of Rice Avenue, Hamilton, Ontario.

Received.

5. Letter dated 1994 July 14 from Tony Matthews, Chairman of Tenant and Relations Committee, Hamilton Senior Citizens Apartments Ltd., re: 255 King Street West regarding Noise Complaints.

Referred to Transport and Environment Committee and the Chief of Police.

6. Letter dated 1994 July 21 from the Regional Municipality of Hamilton-Wentworth regarding the Solid Waste Management Strategic Plan.

Referred to Transport and Environment Committee.

7. Letter dated 1994 July 21 from the Regional Municipality of Hamilton-Wentworth regarding the Provincial 3R's and CFC Regulations.

Referred to Transport and Environment Committee.

8. Letter dated 1994 July 19 from Tony Aceti, President, Aceti's Restaurant and Tavern Ltd., Hamilton, Ontario regarding the patio at Aceti's Restaurant.

Received.

9. (a) Letter dated 1994 July 25 from the Business Association Council respecting funding for the purchase/maintenance of hanging flower baskets.

(b) Letter dated 1994 July 26 from the Business Association Council respecting funding for the purchase/maintenance of hanging flower baskets.

Referred to the Finance and Administration Committee.

10. Application from 810202 Ontario Inc. to relocate the bingo operation currently operating at 1565 Upper James Street to 1119 Fennell Avenue East.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, and The Report of His Worship Mayor R. M. Morrow, be now considered in Committee of the Whole with Alderman Kiss in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

It was moved by Alderman Agro and seconded by Alderman Merling that Rule No. 8 of the Procedural By-law No. 82-203 be invoked in order to consider resolutions respecting traffic matters on Emerald Street South and Cope Street and Dunsmure Avenue. **CARRIED.**

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It was moved by Alderman Merling and seconded by Alderman Agro that the following be added as Section 44 of the Tenth Report of Transport and Environment Committee:

44. (a) That the existing "No Stopping, Wheelchair Loading Only, 9:00 o'clock a.m. to 5:00 o'clock p.m., seven days a week" regulation on the east side of Emerald Street South commencing at a point 144 feet north of Stinson Street and extending to a point 29 feet northerly therefrom, be removed; and,

(b) That a "No Stopping" driveway clearance be implemented on the east side of Emerald Street South commencing at a point 144 feet north of Stinson Street and extending to a point 12 feet northerly therefrom; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

CARRIED.

It was moved by Alderman Wilson and seconded Alderman Copps that the following be added as Section 45 of the Tenth Report of the Transport and Environment Committee:

45. That a 4-way stop be implemented at the intersection of Cope Street and Dunsmure Avenue. **CARRIED.**

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It was moved by Alderman Merling and seconded by Alderman Agro that the following be added as Section 46 of the Tenth Report of the Transport and Environment Committee:

46. That leave be granted to introduce the following Bill:

A-54 A By-law to amend By-law No. 89-72 to Regulate Traffic. **CARRIED.**

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It was moved by Alderman Merling and seconded by Alderman Jackson that Section 29 of the Eleventh Report of the Transport and Environment Committee for 1992, respecting the construction of a concrete curb on Upper Kenilworth Avenue east side from Landron Avenue to Limeridge Road, which was tabled by City Council at its meeting held 1992 October 27, be lifted from the table.

29. (a) That the estimated costs in the following local improvement projects, be increased:

i. Upper Paradise Road east side from Stone Church Road to 187 m southerly and from 86 m south of Skyview Drive to 83 m southerly - construction of independent concrete sidewalk. The increase in the approved City share from $7,964. to $27,964.

ii. Upper Kenilworth Avenue east side from Landron Avenue to Limeridge - construct concrete curb. The increase in the approved City share from $46,100. to $56,100. TABLED.

iii. Limeridge Road south side from Upper Wellington Street to 263 m easterly and from 376 m east of Upper Wellington Street to 69 m easterly - construct independent concrete sidewalk. The increase in City share from $25,588.80 to $35,588.80.

(b) That the Finance and Administration Committee be requested to recommend a source of funds for these increased costs.

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It was moved by Alderman Merling and seconded by Alderman Jackson that Section 29 of the Eleventh Report of the Transport and Environment Committee for 1992, be referred back to the Transport and Environment Committee and that the Director of Public Works prepare plans for the City-owned property adjacent to this curbing and cost estimates for the installation of same. **CARRIED.**

PARKS AND RECREATION COMMITTEE - TWELFTH REPORT

Section 2 Re: Selling of food and alcoholic beverages - Canadian Football League - Brian Timmis Stadium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 12 Re: Selling of food and alcoholic beverages - St. Demetrios Church - Victoria Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Jackson. -1. **CARRIED.**

PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT

Section 2 **Re: Selling of food and alcoholic beverages - Rotary Club of Hamilton - Pier 4 Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Agro, McCulloch, Jackson. -3. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT

Section 1 **Re: Westdale B.I.A. - Hanging Floral Baskets**

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 1 of the Eleventh Report of the Planning and Development Committee for 1994 be referred to the next meeting of the Finance and Administration Committee:

Recorded vote.

YEAS: Aldermen McCulloch, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. 10.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Eisenberger. -5.

CARRIED.

Section 22 Re: Introduction of Bill C-42.

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 22 of the Eleventh Report of the Planning and Development Committee be amended by adding subsection (j) as follows:

(j) C-42 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 75-190 respecting land located at No. 44 Greendale Drive.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT

Re: Bingo Hall Review Committee

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a resolution respecting the establishment of a Committee and the appointment of its members to review the criteria and procedures to establish new bingo halls and to upgrade or relocate existing bingo halls. **CARRIED.**

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It was moved by Alderman Drury and seconded by Alderman Morelli that the following be added as Section 31 of the Twelfth Report of the Finance and Administration Committee:

31. (a) That a Bingo Hall Review Committee, comprised of three members of City Council, be appointed for the purpose of reviewing and considering all applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton for recommendation to City Council, pursuant to the new Provincial Criteria and Procedures for Bingo Halls.

(b) That Alderman T. Cooke, D. Drury and D. Wilson be appointed members of the Committee for the remainder of the term of Council. **CARRIED.**

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It was moved by Alderman Merling and seconded by Alderman Jackson that Section 5 (b) of the Twenty-First Report of the Finance and Administration Committee for 1992, respecting the financing of an additional cost of $10,000. for the construction of a concrete curb on Upper Kenilworth Avenue east side from Landron Avenue to Limeridge Road which was tabled by City Council at its meeting held 1992 October 27, be lifted from the table.

CARRIED.

5. That as referred to in Section 29 of the Eleventh Report for 1992 of the Transport and Environment Committee, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the following projects:

(a) Upper Paradise Road east side from Stone Church Road to approximately 187m southerly and from approximately 86m south of Skyview Drive to approximately 83m southerly - independent concrete sidewalk at an estimated gross cost be revised from $27,700. (OMB No. E920755 dated 1992 August 28) to $47,700. with a City's share being revised from $7,964. to $27,964. with an additional cost of City's share of $20,000. to be financed from 1992 Capital Levy and the balance of $19,736., being the Owner's share, remaining unchanged, to be financed by the issuance of debenture for a period not to exceed 20 years.

(b) Upper Kenilworth Avenue east side from Landron to Limeridge - concrete curb at an estimated cost of $46,100., being the City's share be revised to $56,100. with an additional cost of the City's share of $10,000. to be financed from 1992 Capital Levy. **TABLED.**

(c) Limeridge Road south side from Upper Wellington Street to approximately 263m easterly and from approximately 376m east of Upper Wellington Street to approximately 69m easterly - independent concrete sidewalk at an estimated gross cost be revised from $50,000. to $60,000., with a City's share being revised from $25,588.80 to $35,588.80 with an additional cost of the City's share of $10,000. to be financed from 1992 Capital Levy and the balance of $24,411.20, being the owner's share remaining unchanged, to be financed by the issuance of debenture for a period not to exceed 20 years. **CARRIED.**

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It was moved by Alderman Merling and seconded by Alderman Jackson that Section 5 (b) of the Twenty-First Report of the Finance and Administration Committee for 1992, respecting the financing of an additional cost of $10,000. for the construction of a concrete curb on Upper Kenilworth Avenue east side from Landron Avenue to Limeridge Road which was tabled by City Council at its meeting held 1992 October 27, be referred back to the Finance and Administration Committee. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - FOURTH REPORT

REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIFTH REPORT

ACTING MAYOR FOR THE MONTH OF AUGUST, 1994

It was moved by Alderman Cooke and seconded by Alderman Agro that Alderman B. Morelli be appointed Acting Mayor for the month of August, 1994. **CARRIED.**

RESOLUTIONS

It was moved by Alderman Agro and seconded by Mayor Morrow that Rule No. 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider the following resolution:

It was moved by Alderman Agro and seconded by Mayor Morrow that Rule No. 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider the following resolution:

"Whereas the Province of Quebec is holding a provincial election that may be vital to Canadian Unity.

Be it resolved that the City of Hamilton express it's support and affection for the people of Quebec in these very difficult and important times;

And that all Ontario municipalities be asked to endorse this resolution;

And that this resolution be sent to all municipalities in Quebec in both French and English." **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, The Report of His Worship Mayor R. M. Morrow, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Agro that the following Bills be now read a first time:

A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
B-1, B-2.
C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42.
D-23, D-24.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Kiss in the chair. (second reading).

A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
B-1, B-2.
C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42.
D-23, D-24.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted:

A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
B-1, B-2.
C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42.
D-23, D-24.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
B-1, B-2.
C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42.
D-23, D-24.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:45 o'clock p.m.

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Taken as read and approved.

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Mayor R. M. Morrow

J. J. Schatz, City Clerk
1994 July 26

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents it **TENTH** Report for 1994 and respectfully recommends:

1. That the application of Aceti's Restaurant at 1491 Main Street East, to extend the existing outdoor boulevard cafe on Barons Avenue North be denied and that the applicant be instructed to remove the encumbrance from the City road allowance.

2. (a) That the application of International Village B.I.A. to temporarily close Ferguson Avenue North from King Street to Rebecca Street, excluding the intersection at King William Street, every Sunday and statutory holiday from July 26, 1994 to October 16, 1994, for a street market, be approved, subject to the following conditions:

   (i) That approval from Regional Police Services be received; and,

   (ii) That the applicant provide proof of $2,000,000 public liability insurance, naming the City and the Region of Hamilton-Wentworth as added insured, with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

   (iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

   (iv) That all barricading be supplied by and at the expense of the applicant; and,

   (v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services at the expense of the applicant; and,

(vi) That the applicant ensure that clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services; and,

(b) That Council be authorized to adopt a By-law to temporarily close Ferguson Avenue North from King Street to Rebecca Street, excluding the intersection at King William Street, every Sunday and statutory holiday from 8:00 am to 6:00 pm from July 31, 1994 to October 16, 1994.

3. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-law to stop up, close and sell the East/West Alley adjacent to #13 Walnut Street North, from Walnut Street North to 34.83m Westerly; and,

(b) That the Applicant register a reference plan prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and

(d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1990; and,

(e) That the applicant provide an easement to Hamilton Hydro-Electric System for their existing plan within the closure area; and,

(f) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners; and,

4. (a) That the Tree Planting - Bare Root Centre No. 60404 and the Tree Planting - Large Caliper Centre No. 60402 item lines in the Public Works Department Streets Budget, not be considered as possible reduction packages during the 1995 current budget submissions so that the City of Hamilton can be eligible for an equal cost sharing program up to $100,000.00 sponsored by Green Streets Canada - Municipal Tree Planting Recognition Program; and,

(b) That the Mayor and City Clerk be authorized on behalf of City Council to enter into an agreement with Tree Plan Canada (Green Streets Canada) confirming the City's commitment to the program in accordance with criteria attached in Appendix "A"; and,

(c) That the Law Department be authorized to prepare any required documentation relative to the City of Hamilton's involvement in the Tree Plan Canada (Green Streets Canada) program.

5. (a) That the construction of a combined sidewalk and curb on the south side of Brock Street from John Street to approximately 24m east of Hughson Street (frontage of 10 Brock Street) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of $27,800 with a City's Share of $21,568.00 and an Owner's Share of $6,232.00 all as provided in the 1994 portion of the 1994-2003 Capital Budget; and,

(b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project, and,

(c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works once all the necessary approvals have been received.

6. (a) That an Offer to Purchase (Highway Closure), duly executed by Hamilton Medical Arts Building, Limited (Zennon Kiss, President) on 1994 June 8, and scheduled to close within (30) days of completion of the conditions as set out in the Agreement, but in any event no later than 1995 August 3, for the sale of part of Lots 149, 150, 164 and 165 of the Plan of Subdivision known as George Hamilton Survey, Registered Plan 1431, having a frontage of 3.96 metres (13 feet) more or less, along the northerly limit of Young Street, by a length of 27.35 metres (89.75 feet) more or less, being irregular in shape and comprising a total area of 148.5 square metres (1,599 square feet) more or less, and designated as Part 7 on Plan 62R-12633 and lying directly east of municipal address 1 Young Street, Hamilton, be approved and completed, and the funds derived from this sale of $35,000. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque is the amount of $3,500. be held by the City Treasurer pending Council approval; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

7. (a) That the City of Hamilton renew the lease with Cara Operations Limited for the City owned lands on the north-west corner of Queenston Road and Kenora Avenue, known as 771 Queenston Road, along with a closed portion of Kenora Avenue, comprised of an area of 1,754 square metres (18,874 square feet) more or less, for the period 1993 December 10 to 1994 December 9, at a rental rate of $19,440. per annum, plus realty taxes ($8,294.14 for 1994) and that revenue from this rental location be credited to the Account No. CH 44104 31106 (Civic Properties Rented -Rentals); and,

(b) That the City Solicitor be authorized to prepare the necessary lease agreement for this location; and,

(c) That the Mayor and City Clerk be authorized and directed to execute the Lease Agreement.

8. (a) That transfer of a berm easement to the Regional Municipality of Hamilton-Wentworth, located along the rear of 293 Limeridge Road West, shown as Part 1 on Plan 62R-2525, containing 5,250 square feet (487.73 square metres) more or less, be approved; and,

(b) That the City Solicitor be directed to prepare all the necessary documents to effect this transfer.

9. That the application of The Endfield Group, formerly Grindstone Properties Ltd., to amend the existing encroachment agreement for 18-24 James Street South, to include the widening of the existing raised driveway to measure 5.0m and to erect and maintain a retaining wall measuring 8.80m x 0.6m, encroaching onto the MacNab Street South road allowance, be approved during the pleasure of Council provided:

(a) That the owner enter into an amended agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the applicant pay a first year fee of $252.

10. That the application of M. and R. Belliveau, owners of 252 Beechwood Avenue, to erect and maintain steps measuring 1.20m x 0.95m, encroaching onto the Beechwood Avenue road allowance, be approved during the pleasure of Council provided:

(a) That the owners enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the applicant pay a first year fee of $252. and an annual fee of $20.

11. That the application of the St. Naum of Ohrid Macedonian Orthodox Church (235 Kensington Avenue North, Hamilton) to display a promotional banner across Main Street West in front of City Hall from August 29, 1994 to September 5, 1994, with the message "Sept. 2-5 - 20th Annual Convocation of the American Canadian Macedonian Orthodox Church Diocese", be approved.

12. (a) That the following City lands be incorporated into the streets as noted in Appendix "B":

Limeridge Road	Parts 1,3,4	Plan 62R-8083
Upper Paradise Road	Part 6	Plan 62R-12388
Acadia Drive	Part 4	Plan 62R-11281
Butler Drive	Part 5 and	Plan 62R-11281
	Part 3	Plan 62R-11281

(b) That the By-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Laws.

13. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"DICENZO GARDENS - PHASE 5 ", Hamilton

City's Share $ NIL Owner's Share - $ 30,996.; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "DiCenzo Gardens - Phase 5", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing.

14. That the application of Cycle Hamilton to temporarily close Hess Street from King Street to Main Street, George Street from Queen Street to Ray Street and Ray Street from George Street to King Street on Monday August 1, 1994, from 10:00 a.m. to 6:00 p.m. in order to hold the annual Hess Village Grand Prix Bicycle Race, be approved, subject to the following conditions;

(a) That approval from Regional Police Services be received; and,

(b) That the applicant provide proof of $3,000,000 public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

15. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of St. Mary's Church to close Sheaffe Street from Park Street easterly in order to hold a festival on Saturday July 2, 1994, from 4:00 p.m. to Sunday July 3, 1994, at 1:00 a.m., subject to the following conditions:

(a) That approval from Regional Police Services be received; and,

(b) That the applicant provide proof of $2,000,000 public liability insurance, naming the City and Region as an added insured party with a provision for cross liability, and holding the City and Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services; and,

(i) That a temporary exemption from Noise Control By-law No. 79-292 be granted to the applicant.

16. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the south side of Stacey Street between Columbia Drive and Laurier Drive; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

17. (a) That a "Permit Parking" regulation be implemented on the east side of William Street commencing at a point 63 feet north of Barton Street East and extending to a point 24 feet northerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Linda Ezeleigh, 8 William Street; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

18. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation on the east side of Cathcart Street between Kelly Street and Cannon Street be revised such that the regulation is in effect 24 hours a day, seven days a week; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

19. (a) That a "No Parking" regulation be implemented on the south and east sides of National Drive commencing at Ellen Avenue and extending to a point 46 feet north of the north curb line of Derek Drive; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

20. (a) That a "No Parking" regulation be implemented on the south side of Dunsmure Road, commencing at a point 70 feet west of Garfield Avenue South and extending to a point 17 feet westerly therefrom; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

21. (a) That the existing "No Parking" regulation on the north side of Jackson Street East which commences at a point 120 feet east of Walnut Street South and extends to a point 44 feet easterly therefrom be lengthened such that the regulation commences at a point 120 feet east of Walnut Street South and extends to a point 68 feet easterly therefrom; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

22. (a) That the existing "Permit Parking" regulation on the south side of Holmes Avenue commencing at a point 115 feet west of Emerson Street and extending to a point 24 feet westerly therefrom be removed; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

23. (a) That a "Permit Parking" regulation be implemented on the west side of James Street North commencing at a point 124 feet north of Macauley Street West and extending to a point 20 feet northerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Walter Powless, No. 538 James Street North; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

24. (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Ray Street South between Main Street West and George Street; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

25. (a) That a "No Parking, 8:00 a.m. to 6:00 p.m., 7 days a week" regulation be implemented on the south side of Forest Avenue commencing at John Street South and extending to a point 128 feet westerly therefrom; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

26. (a) That a "Permit Parking" regulation be implemented on both sides of Wood Street West between MacNab Street North and James Street North; and,

(b) That the Director of Traffic Services be authorized to issue three parking permits to the residents of No. 32 Wood Street West and two parking permits per household to residents of Nos. 23 and 27 Wood Street West and one parking permit per household to residents of Nos. 9, 10, 15, 17, 18, 26, and 28 Wood Street West and any additional parking permits to a maximum of twenty-two on a first come first served basis to eligible residents in this block; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

27. (a) That the existing "No Parking" regulation on the east side of Pearl Street which commences at a point 90 feet south of Peter Street and extends to a point 31 feet southerly therefrom, be replaced with a "Permit Parking" regulation; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Eugene Miller, 74 Pearl Street; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.

28. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Whitney Avenue commencing at a point 266 feet east of Leland Street and extending to a point 42 feet easterly therefrom; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

29. (a) That northbound traffic on Douglas Street be required to stop for eastbound and westbound traffic on Mars Avenue; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

30. (a) That three-way stop control be implemented at the intersection of Rexford Drive and Astonwood Drive; and,

(b) That conditions at the intersection be reviewed following the installation of a traffic signal at the intersection of Stone Church Road and Upper Sherman Avenue; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly; and,

(d) That the intersection control at Rexford Drive and Astonwood Drive be reviewed in the future following the installation of a traffic signal at the intersection of Upper Sherman Avenue and Stone Church Road.

31. (a) That northbound traffic on Questor Court be required to stop for eastbound and westbound traffic on Quaker Crescent; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

32. (a) That the "Through Street" designation of Rice Avenue between Mohawk Road West and Sanatorium Road be removed; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

33. That the City Council endorse a recommendation of the Pedestrian Safety Advisory Committee that more policing is needed to enforce pedestrian safety in the City of Hamilton.

34. (a) That four-way stop control be implemented at the intersection of Beach Road and Rowanwood Avenue; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

35. (a) That an eastbound stop sign be erected on Cumberland Avenue at the westerly intersection of Sanford Avenue South; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

36. (a) That four-way stop control be implemented at the intersection of Dunsmure Road and Melrose Avenue South; and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

37. That enforcement in "No Stopping" areas adjacent to schools be provided without giving the motorists an opportunity to move their vehicles, at the request of the abutting school.

38. That $2,400. be included in the 1994 operating budget for garbage pickup to cover the cost of three times per week pickup for 8 new litter containers in the area of the Westdale Village B.I.A.; and, further that the existing litter containers in the Westdale Village B.I.A. also be picked up three times per week.

39. (a) That the following initiatives of the Public Works Department be recognized as contributions to the Mayor's Downtown Renewal programme:

(i) The supply of floral plant material and planting of planters in the James Street North Business Area; and,

(ii) The supply and maintenance of 250 hanging baskets on King Street East and James Street South, in accordance with Hamilton-Wentworth Regional Council's direction; and,

(iii) The replacement of over 60 trees in hard surface areas within the downtown core, including new tree grates and paving stones, as required; and,

(iv) The removal of posters from poles, etc. on an on-going basis, in accordance with our by-laws; and,

(v) The cleaning, washing and painting of all garbage bins serving the downtown business community; and,

(vi) The re-initiation of efforts to join the redevelopment area east of Bay Street with Hess Village, through staff arranged meetings, between Downtown Hamilton BIA and International Village BIA, with a view to include discussions with the Sheraton Hotel, Lloyd D. Jackson Square, the Hess Village Association and the George Street Mall Authority; and,

(vii) The hosting of meetings with the Ward 2 Aldermen, Public Works Department staff, and business people within the area of James Street North and Barton Street to review various issues, including the benefits of forming Business Associations; and,

(viii) The upgrading of streetlighting on James Street, between Vine and Main Streets and on King Street, between Wellington and MacNab Streets; and,

(ix) The provision of mechanical street cleaning services from Wellington to Bay Streets and Barton to Main Streets, on a 3 times-per-week schedule and manual sidewalk cleaning 7 days a week; and,

(x) The painting of poles in the downtown core on King Street, from James Street to Mary Street and on James Street, from Main Street to King William Street; and,

(xi) The upgrading of lighting in alleyways through the addition of 3 luminaires in the Downtown Hamilton B.I.A. and 4 new luminaires in the International Village B.I.A.; and,

(b) That **consideration** be given in the 1995 Current Budget deliberations for expansion packages to provide enhanced services in the downtown core, as follows:

(i) Treat all assumed alleyways in the Central Business District as roadways vis-a-vis snow removal and maintenance at an annual cost of $105,000.; and,

(ii) Provide full sidewalk snow clearing services in the downtown core at an annual cost of $55,000.

40. That the Director of Public Works be authorized to relocate the residential garbage collection from the alleyway between Cheever and William Streets from Birge to Barton to on-street collection.

41. That the Director of Public Works be authorized to initiate a modest campaign to inform the public of the benefits of recycling and home composting of grass clippings.

42. (a) That the application of the 805715 Ontario Ltd. to temporarily close Hess Street South between King Street and Main Street from 12:00 noon on Friday, 1994 August 19 to 11:00 p.m. on Sunday, 1994 August 21 for a Hess Village Bluefest, be approved, during the pleasure of City Council provided:

(i) That approval from Regional Police Services be received; and,

(ii) That the applicant provide proof of $3,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(iii) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services; and,

(iv) That all barricading be supplied by and at the expense of the applicant; and,

(v) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(vi) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer; and,

(vii) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(viii) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

(b) That the Committee provide direction to the Commissioner of Transportation/Environmental Services with regard to the application of the 805715 Ontario Ltd. to place a beer tent on the Hess Street South road allowance from 12:00 noon Friday, 1994 August 29 to 11:00 p.m. Sunday, 1994 August 21 for the Bluefest;

Should your Committee approve this request, it should be subject to the following conditions:

(i) That approval from Regional Police Services be received; and,

(ii) That the applicant provide proof of $5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

43. That leave be granted to introduce the following Bills:

(a) A-47 A By-law to incorporate Parts 1, 3 and 4, on Plan 62R-8083 into Limeridge Road

(b) A-48 A By-law to incorporate Part 6, Plan 62R-12388 into Upper Paradise Road

(c) A-49 A By-law to incorporate Part4, Plan 62R-11281 into Acadia Drive

(d) A-50 A By-law to incorporate Parts 3 and 5, Plan 62R-11281 into Butler Drive

(e) A-51 A By-law for temporary closure of the portion of Ferguson Avenue between King Street and Rebecca Street

(f) A-52 A By-law to amend By-law No. 89-72 to Regulate Traffic

(g) A-53 A By-law to amend By-law No. 89-72 to Regulate Traffic

44. (a) That the existing "No Stopping, Wheelchair Loading Only, 9:00 o'clock a.m. to 5:00 o'clock p.m., seven days a week" regulation on the east side of Emerald Street South commencing at a point 144 feet north of Stinson Street and extending to a point 29 feet northerly therefrom, be removed; and,

(b) That a "No Stopping" driveway clearance be implemented on the east side of Emerald Street South commencing at a point 144 feet north of Stinson Street and extending to a point 12 feet northerly therefrom; and

(c) That the City Traffic By-law No. 89-72 be amended accordingly. **ADDED.**

45. That a 4-way stop be implemented at the intersection of Cope Street and Dunsmure Avenue. **ADDED.**

46. That leave be granted to introduce the following Bill:

A-54 A By-law to amend By-law No. 89-72 to Regulate Traffic.
ADDED.

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Tina Agnello
Acting Secretary

1994 July 26

Municipalities wishing to compete for Green Streets Canada funding must submit a proposal which provides the following minimum information (Proposals must meet these minimum requirements to receive further consideration):

- A description of past tree planting budgets and activities.
- Clearly demonstrate that tree planting and care and maintenance budgets are proportionate to the previous year's budget and that Green Streets Canada's contributions will increase an existing budget as well as the number of trees planted.
- An agreement to a 50-50 cost sharing, of which a maximum of 50% of the municipality's share may be in-kind contributions. Note: Costs for the ongoing care and maintenance of the trees is the municipality's responsibility. These costs cannot be included as part of the 50-50 cost sharing.
- A tree planting plan which demonstrates a commitment to the ongoing care and maintenance of the trees to be planted in this program.
- Technical expertise available for the program.
- A description of the involvement of volunteers, an explanation of how the program will have a positive impact on the community and increase the public awareness and understanding of the environmental benefits provided by trees. A description of the availability of educational events and/or materials focused on developing tree planting and care and maintenance skills and awareness of the role of trees within the community.
- Commitment to the planting, on a cost-effective basis, of all tree sizes, from seedlings to saplings to large trees.
- Written endorsement and commitment to the proposal by Council and by the Mayor, and accompanied by a Council resolution.

Proposals will be evaluated and funds awarded based on the following criteria:

- Technical soundness of the program.
- Cost effectiveness, reflecting a commitment to the planting of all tree sizes and a demonstration that additional trees are being planted as a result of Green Streets Canada assistance.
- Commitment to the ongoing long-term care and maintenance of the trees planted.
- Overall commitment by the Municipality to involving the community in its program and fostering educational and public awareness of tree planting within the community.

Inasmuch as this is a competition with limited funds, Municipalities of proportionate size will be evaluated against each other within six major geographic regions. Municipalities are encouraged to submit creative and unique suggestions for tree planting activities/events, volunteer involvement and educational opportunities.

Incorporating into Street Name	Description of Lands being Incorporated	Financial Implications	Reason for being Incorporated	File No.
Limeridge Road	Part of Lot 9, Conc. 7, formerly township of Barton, designated as Parts 1, 3 and 4, on Plan 62R-8083	N/A	To complete the final width of Limeridge Road, in that area.	S609-01
Upper Paradise Road	Part of Lot 1, Conc. 1, in the geographic township of Glanford, designated as Part 6, Plan 62R-12388	N/A	To widen Upper Paradise by incorporating the daylighting into the street	S609-01
Acadia Drive	Part of Lot 1, Registered Plan 909, designated as Part 4, Plan 62R-11281	N/A	To complete the final width of Acadia Drive in that area and provide access from Part 1, Plan 62R-10529 to Acadia Drive as established by City of Hamilton By-Law 90-262	S609-01
Butler Drive	Part of Lot 1, Reg. Plan 909, designated as Part 5, on Plan 62R-11281 and Part of Lots 1 and 2, Reg. Plan 909, designated as Part 3, on Plan 62R-11281	N/A	To complete the final width of Butler Drive in that area	S609-01

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1994 and respectfully recommends:

1. That the Gore Park Fountain Foundation under the auspices of the Head of the Lake Historical Society be permitted to install up to 6 small bronze, brass or stone plaques near the base of the fountain at Gore Park to recognize major donors.

2. That approval as required by Section 24 (1) and Section 11 (a) of Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation in approving the sale of food and alcoholic beverages by the Canadian Football League, at Brian Timmis Stadium on 1994 July 14 and 15, subject to the following terms and conditions:

   (a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted one week prior to the event naming the City as co-insured with a cross liability endorsement; and,

   (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up etc.); and,

   (c) That alcoholic beverages be served in a confined area of the Stadium upon receipt of approval of the Liquor Licence Board of Ontario; and,

   (d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicants expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Jackson. -1. **CARRIED.**

3. That approval as required by Part 2, Section 8. of the Fireworks By-law No. 90-198, be given of the action taken by the Interim Director of Culture and Recreation in permitting the Eastmount Community Council to hold a Family Picnic and Neighbourhood "Family Style" Fireworks display on Eastmount Park, 1994 July 1, subject to the following terms and conditions:

   (a) That proof of $5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, at least 20 days in advance, naming the Corporation of the City of Hamilton as named insured with a cross liability endorsement; and,

   (b) That Eastmount Community Council agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display; and,

   (c) That Eastmount Community Council comply with all Sections of the By-law No. 90-198.

4. That approval be given to waive the rental fee and staff overtime costs incurred for use of Mountain Arena by the Hamilton Firefighters Bedpush for Kids Committee to host Spaghetti Dinner and Casino Night 1994 to raise funds for the Burn Camp for Kids charity.

5. That the request from the Loyal Order of Moose to receive two complimentary golf passes for rounds of golf at Chedoke or King's Forest, be approved.

6. That the Mount Hamilton Youth Soccer Club "Friendship Games" Family Night at Huntington Park Recreation Centre have the rental fee waived and remit $385. for staffing costs for the facility.

7. (a) That approval as required by Section 5 (b) and Section 11 (a) and (c) of the Parks By-law No. 77-221 be given of the action of the Interim Director of Culture and Recreation in approving the following:

      i. Gourley Park Community Association to barbecue, sell food, beverages and crafts during their Canada Day Celebrations in Gourley Park on 1994 July 1; and,

      ii. Hamilton Regional Indian Centre to barbecue during their Youth Initiatives Summer Program Walkathon at Gage Park on 1994 July 7; and,

(b) That approval as required by Section 11 (c) of the Parks By-law 77-221 be given to the Central Park Improvement Committee to hold a fundraising Garage Sale in Central Park on Saturday July 23 and Sunday July 24; and,

(c) That approvals for (a) and (b) above be subject to the following terms and conditions:

i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

ii. That the Gourley Park Community Association, the Hamilton Regional Indian Centre, the Central Park Improvement Committee comply with all sections of the Parks By-law No. 77-221.

8. (a) That approval, as required by Section 5 (b) of Parks By-law No. 77-221 be given to the following community associations for their 3rd annual National Night-Out:

i. Gage Park Neighbourhood Watch to barbecue and to use amplification equipment during National Night-Out Festival at Gage Park on 1994 August 1; and,

ii. Carter Park Neighbourhood Watch to barbecue and to use amplification equipment during the National Night-Out Festival at Carter Park on 1994 August 2; and,

iii Landsdale Neighbourhood Watch to barbecue and to use amplification equipment during the National Night-Out Festival at Beemer Park on 1994 August 2; and,

iv Hamilton Mountain and Glanbrook Neighbourhood Watch to barbecue and to use amplification equipment during National Night-Out Festival at Elmar Park on 1994 August 2; and,

v. Crown Point West Neighbourhood Watch to barbecue and to use amplification equipment during the National Night-Out Festival at Belview Park on 1994 August 4; and,

(b) That the approvals for the above be subject to the following terms and conditions:

i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

ii. That the Carter Park Neighbourhood Watch, Landsdale Neighbourhood Watch and Crown Point West Neighbourhood Watch comply with all sections of the Parks By-law No. 77-221.

9. (a) That approval, as required by Section 5(b) and Section 11(a) of the Parks By-law No. 77-221, be given of the action taken by the Interim Director of Culture and Recreation for Mr. Tom Anderson to barbecue and sell food and beverages for the Golden Horseshoe Live Steam Day - 1994 July 1; and,

(b) That approval, as required by Section 5(b) and Section 11(a) of the Parks By-law No. 77-221 be given to Tom Anderson to barbecue and sell food and beverages during the Golden Horseshoe Live Steamer Days (1994 August 21, September 25, October 16) and Ontario Model Locomotive Efficiency Trials (1994 September 11) at the Hamilton Museum of Steam and Technology; and,

(c) That the approvals for (a) and (b) be given subject to the following terms and conditions:

i. That the applicant assume responsibility for clean-up and any damages to the grounds; and,

ii. That as agreed a donation of $.25 per non-beverage sale be given to the Hamilton Museum of Steam and Technology and the Golden Horseshoe Live Steamers; and,

iii That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.

10. (a) That approval, as required by Sections 5 (b) and 11 (a) of the Parks By-law 77-221 be given to Harvey's Restaurant (The Krasic Group of Companies) to barbecue and sell food and beverages during the Children's Museum Birthday Party celebrations 1994 July 21 (rain date July 22); and,

(b) That approval be subject to the following terms and conditions:

i. That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

ii. That the applicant assume responsibility for clean-up and any damages to the park; and,

ii. That the applicant assume responsibility for clean-up and any damages to the park; and,

iii That the Children's Museum received 25% of the gross sales.

11. That approval, as required by Sections 5 (b) and Section 11 (a) of the Parks By-law No. 77-221, be given to the Stoney Creek Lions Club to barbecue and sell food and beverages at the Hamilton Museum of Steam and Technology subject to the following terms and conditions:

(a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,

(b) That proceeds from food and beverage sales be used towards the volunteer appreciation barbecue; and,

(c) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.

12. That the recommendation approved by City Council on 1994 April 26 for St. Demetrios Church, Hellenic Community of Hamilton be amended to include, permission to sell alcoholic beverages on City property (viz. Minor Facilities - one baseball diamond, west side of Victoria Park) on the occasion of their Greek Festival, to be held 1994 July 26 to August 1, 12:00 noon to 11:00 p.m. at Victoria Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. 15.

NAYS: Alderman Jackson. -1. **CARRIED.**

13. That approval be granted to The Living Rock Ministries to use Harbourfront Park to host the "Summer Jam '94", 1994 August 13 from 12:00 noon to 10:00 p.m., subject to the following terms and conditions:

(a) That insurance, in the amount of $2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,

(b) That the applicant assume responsibility for all labour-related costs as a result of this event (i.e. set up, clean-up, etc.); and,

(c) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(d) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

14. That the recommendation approved by City Council on 1994 May 31 for Regional Municipality of Hamilton Wentworth to host Aquafest, 1994 July 22 - 24 be amended to include: permission as required by Section 20 of the Parks By-Law No. 77-221, to allow animals in the park.

15. That the recommendation approved by City Council on 1994 May 31 for Festitalia Corporation to host a Family Picnic on 1994 August 14 be amended to include: permission as required by Section 15, (5) and Section 20 of the Parks By-Law No. 77-221, to allow animals in the park.

16. That the Bruce Trail Association be permitted to establish a side trail at Mountain Drive Park.

17. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source of Funding
a) 628650001	Land Acquisition Crown Point East	$ 283,000.	$ 283,113.62	($ 113.62)	- Reserve for Parklands
b) 628650003	Land Acquisition Crown Point West Neighbourhood	$ 941,690.	$ 941,682.21	$ 7.79	- Reserve for Parklands
c) 628650007	Land Acquisition Corktown Neighbourhood	$ 359,740.	$ 359,733.52	$ 6.48	- Reserve for Parklands
d) 628650008	Land Acquisition Stinson Neighbourhood	$ 725,840.	$ 725,777.02	$ 62.98	- Reserve for Parklands

e) 628854003	Mountain Drive Park	$ 100,000.	$ 85,816.99	$ 14,183.01	- Capital Levy
f) 628854004	T.B. McQuesten Park Development Study & Work	$ 50,000.	$ 49,947.17	$ 52.83	- Reserve for Capital Projects
g) 628954001	Mohawk Sports Park Irrigation, Bleachers, etc. (1989)	$ 400,000.	$ 396,643.04	$ 3,356.96	- Debentures - Reserve for Capital Projects
h) 629054017	Ivor Wynne Stadium Renovate & Repair (1990)	$ 345,000.	$ 345,314.36	($ 314.36)	- Debentures
i) 629154003	Chedoke Golf Course Repair Gabion Wall	$ 60,000.	$ 59,999.50	$ 0.50	- Reserve for Capital Projects
j) 629054019	Construct Gage Park Facilities Building	$ 464,130.	$ 463,026.79	$ 1,103.21	- Reserve for Capital Projects - Debentures - Insurance Recovery
k) 629154008	Replace Artificial Turf Ivor Wynne Stadium	$ 1,405,000.	$ 1,304,786.88	$ 100,213.12	- Reserve for Capital Projects
l) 629254009	Ivor Wynne Stadium Renovation & Repairs (1992)	$ 101,000.	$ 100,997.34	$ 2.66	- Reserve for Capital Projects
m)419154007	Pier 4 Park - Harbourfront	$ 1,909,000.	$ 1,909,000.	$ 0.	- Reserve for Parkland - Provincial Grant
n) 419254001	Harbourfront Remediation Stage 1 -Province	$ 7,688,620.	$ 7,688,620.	$ 0.	- Provincial Grant Interest Earned
o) 419254002	Pier 4 - Harbourfront Habitat Restoration	$ 90,000.	$ 90,000.	$ 0.	- Federal Grant

18. That the City Clerk advise the Regional Clerk that the City of Hamilton is in favour of the construction of storm and sanitary sewers on Upper Sherman Avenue from approximately 350m south of Beaverton Drive to Rymal Road East and on Acadia Drive from approximately 243m south of Butler Drive to approximately 46m southerly as a local improvement under Section 11 of the Local Improvement Act.

19. (a) That pursuant to the regulations in effect under the Ontario Building Code, the City remove from circulation its current inventory of tents (one large, one small canopy) from circulation; and,

(b) That the tents be acquired immediately if funds can be identified through referral to the Finance and Administration Committee.

20. (a) That consistent with previous years, an amount of $5,830. attached hereto as Appendix "A" be approved for the Annual Community Council Grants subsidy for 1994; and,

(b) That the Start-Up Community Council Grant subsidy in the amount of $900. be approved; and,

(c) That an amount of $2,500. be approved as the subsidy allocation for 1994 to assist with equipment rental costs, resulting from the Equipment Loan Program Policy; and,

(d) That these expenditures be financed from the current budget Community Councils Account No. CH53102 70040.

21. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
a) 709041011	Twinning Mountain Arena	$2,058,000.	$2,057,000.	$ 1,000.	Reserve for Capital Projects
b) 709254003	Bocce Court Development (1992)	$50,000.	$50,000.	0	Reserve for Parkland Projects
c) 709355011	Arena Retrofit Program -Feasibility Study	$25,000.	$15,000.	$10,000.	Reserve for Capital Projects
d) 709252003	Playstructure Development (1992)	$350,000.	$281,000.	$69,000.	Reserve for Parkland Projects
e) 709054020	McCulloch, Manson, Rosedale Bocci Courts	$45,000.	$48,000.	($3,000.)	Reserve for Capital Projects
TOTAL				**$77,000.**	

22. (a) That the revenue and expenditure balances of the Program Accounts within the Culture and Recreation Department's operating budget be carried over to December 31, 1994, at which time, the Interim Director of Culture and Recreation in conjunction with the City Treasurer will report on the disposition of any surplus funds; and,

(b) That the Interim Director of Culture and Recreation be directed to incorporate these program revenues and expenditures within the 1995 estimated operating budget of the Culture and Recreation Department.

23. (a) That the Founding Board of Management be recognized to represent the interest of the members of Sackville Hill Seniors' Recreation Centre; and,

(b) That the funds in the amount of $48,143.31, collected in the Sackville Hill Seniors Club Account - (Centre #70122) be returned to the Founding Board of Management representing the members of the Sackville Hill Seniors' Recreation Centre.

24. (a) That approval be given as a separate Capital Project in the amount of $19,153. for the expansion and modification of the Workshop at Sackville Hill Seniors Recreation Centre.

(b) That this capital project be financed through the Federal Government's New Horizons Grant, resulting in no cost to the City of Hamilton.

25. That approval be given to the Interim Director, Department of Culture and Recreation to apply for a Section 25 grant under the Federal Department of Employment and Immigration program to hire three archaeologists for Dundurn Castle's archaeology program.

26. (a) That the Huntington, Gourley, Rosedale Tennis Courts capital project gross cost be increased from $90,000. to $106,000. to construct 2 tennis courts in Gourley Park; and,

(b) That the Finance and Administration Committee recommend the method of financing.

27. (a) That an Offer to Purchase (Easement) Agreement, duly executed by Regional Officials on 1994 July 5, and scheduled to close within thirty (30) days of the Regional Municipality of Hamilton-Wentworth receiving its allocation of funds under the Canada - Ontario Infrastructure Works Program but in any event no later than 1995 June 25, for the purchase by the Region of an easement for the construction and maintenance of a combined sewer overflow tank on the lands and premises more particularly described as part of Park Lots 7, 8, 9 and 10, Sir Allan Napier MacNab Survey Unregistered and designated as Parts 1, 2, 3, 4 and 5 on Unregistered Regional Survey Plan No. RC-H-378 Surveys, having a frontage of 120.50 metres (395.341 feet) more or less, along the southerly limit of King Street West, being irregular in shape and comprising a total area of 2.50 hectares (6.177 acres) more or less, be approved and completed and the funds derived from this sale of $1. be credited to Account No. CH4X501 00201 (Reserve for Parkland); and,

(b) That it be understood and agreed that the purchase of this easement by the Region is conditional upon the Regional Municipality of Hamilton-Wentworth receiving approval of its application for funding under the Canada - Ontario Infrastructure Works Program, failing which, this agreement shall become null and void; and,

(c) That it be understood and agreed that this agreement is further conditional upon the Regional Municipality of Hamilton-Wentworth obtaining Environmental Assessment approval and all other agency approvals required outside the control of the municipality within a time frame to allow this Canada - Ontario Infrastructure Works Program Application to proceed; and,

(d) That it be understood and agreed that the sale of this easement by the City to the Region is conditional upon the Region providing the City, prior to the date of closing, a plan acceptable to the Director of Public Works respecting the restoration/improvement of the park land being sold herein to permit more active use of the park than presently exists, including and without limiting the generality of the foregoing the placement of 8 inches of top soil, sodding and replacement of trees; and,

(e) i. That the Region be allowed until the date of closing to satisfy itself that the following condition may be fulfilled, failing which this Option to Purchase shall be null and void. This condition may be waived by the Region without concurrence of the City:

This Offer to Purchase (Easement) Agreement is conditional upon the Region and/or its agent and consultants obtaining on or before 1994 September 30 a soils test which is satisfactory to the Region, and which shall indicate that the soil is not encumbered with debris or other non-load bearing loose fill material; that the soil is of such quality that it is economically feasible to excavate foundations for the proposed construction by the Region; that the property is free of environmentally dangerous material and that the intended use of the property by the Region and any construction upon the property could proceed without risk of environmental harm or without the requirement of environmental treatment of the site; and,

ii. If after the said test the Region decides to exercise its right to proceed with its purchase of the easement from the City, the City will not be obliged or required to grant or make any warranty or other further assurance to the Region regarding the site, (notwithstanding any term of the Offer to Purchase to the contrary), and the City's acceptance of the Region's Offer to Purchase shall be expressly subject to this condition; and,

(f) That it be understood and agreed that the City shall reserve unto itself, its heirs, successors, and assigns the irrevocable right to grant such further and other easements as from time to time the Transferor sees fit; and,

(g) That it be understood and agreed that:

i. The facility will be buried; and,

ii. The facility will be maintained to eliminate any odour at all times; and,

iii The facility will be designed to minimize surface protrusions as far as is practically possible and provide the largest overall flat surface capable of supporting the refurbished park; and,

(h) i. The Vendor confirms that the Purchaser has had the Vendor's permission to enter the land for the purposes of soils tests any time or times since 1994 April 1 and continuing up to and including 1994 September 30; and,

ii The Purchaser agrees to repair promptly any damage caused by soil tests and assumes all risk, costs, liability and expense directly resulting from the said soil tests; and,

iii The Purchaser covenants to use its reasonable efforts to satisfy these conditions in a diligent manner and the Vendor covenants and agrees to cooperate fully in that regard, including without limitation to permit the Purchaser access to the lands to make soil tests and to permit free and unrestricted inspection or inspections of the lands and to provide such material and information in the possession of the Vendor relating to the lands (and such further assurances as the Purchaser may reasonably require); and,

iv The Purchaser will at all times indemnify and save harmless the City from and against all actions, causes of action, interests, claims, demands, costs, damages, expenses, or loss, which the City may bear, suffer, or be put to as a result of the privilege herein allowed (including, without limiting the generality of the foregoing, construction lien claims or claims arising by reason of any damage to property or injury or death to persons); and,

v. The Region shall provide the City with an endorsement from its General Liability Insurance Policy confirming that the City has been named as an additional insured for Third Party Bodily Injury and property damage to a limit of not less than $3,000,000. per occurrence on claims made or occurrence policy basis and providing that the City hereby grants to the Region, permission to assume deductibles and/or self insured retained limits as the Region may deem necessary from time to time in various amounts not to exceed $3,000,000.; and,

(i) The Purchaser will at all times indemnify and save harmless the City from and against all actions, causes of action, interests, claims, demands, costs, damages, expenses, or loss, which the City may bear, suffer, or be put to as a result of the easement herein granted (including, without limiting the generality of the foregoing, construction lien claims or claims arising by reason of any damage to property or injury or death to persons); and,

(j) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

28. (a) That an Option to Purchase, duly executed by Leo W. Warren and Mary L. Warren, on 1994 July 18, and scheduled to close on or before 1994 August 19, for the property known as part of Lot 129 on Plan 223, said property having a frontage of 38.120 feet (11.618 metres) more or less, along the eastern limit of Victoria Avenue North, by a depth of 151.381 feet (46.14 metres) more or less, having an approximate area of 5,771 square feet (536.14 square metres) more or less, together with all structures erected thereon bearing the municipal address of 82 Victoria

Avenue North, be approved and completed and the purchase price of $172,250. be charged to Account No. CH00201 (Reserve for Parkland); and,

(b) That as consideration in the amount of $2. has been paid to the owner pursuant to the Agreement, this amount be deducted from the purchase price; and,

(c) That upon completion of this transaction the City of Hamilton enter into a Tenancy Agreement with Leo W. and Mary L. Warren to rent the premises known as 82 Victoria Avenue North, subject to the terms and conditions of the Tenancy Agreement executed by Leo W. and Mary L. Warren on 1994 July 18; and,

(d) That the Tenancy Agreement shall commence on 1994 August 19 for a period not to exceed three (3) months, terminating on 1994 November 19, and the one (1) time rental fee of $1. be credited to Account No. CH44104 31106 (Civic Properties Rented); and,

(e) That upon vacant possession of this property the Property Department be authorized to proceed immediately to demolish the structures and the costs be charged to Account No. CH4X501 00201 (Reserve for Parkland); and,

(f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

29. (a) That staff proceed with application under the Provincial Government's Jobs Ontario Community Action Program in the amount of $100,000. for an Economic Feasibility Study for the West Harbourfront Development Study; and,

(b) That upon Provincial Government approval the previously authorized funding of $300,000. for this study be increased to $400,000.; and,

(c) That this project only proceed with an approval of the Provincial funding; and,

(d) That the Finance and Administration Committee be requested to recommend the method of financing.

30. That consideration be given in the 1995 current budget deliberations for a one time $50,000. funding allotment for a 1995 Mum Show, subject to the Mum Show ability to fund raise $150,000. by 1995 January 30.

31. That leave be granted to introduce the following Bills:

(a) Bill B-1 A By-law to Authorize the Transfer of Previously Debentured Amounts from T. B. McQuesten Park to Harbourfront Park Washroom Project.

(b) Bill B-2 A By-law to Amend By-law No. 93-167 Respecting Building Permit Fees.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Stella Glover
Acting Secretary
1994 July 19

Appendix "A" as referred to in Section 20 of the TWELFTH Report of the Parks and Recreation Committee for 1994

START UP GRANTS

COMMUNITY GROUP	AMOUNT
ELEANOR COUNCIL	$ 300.
STRATHCONA COUNCIL	300.
LANDSDALE COUNCIL	300.
SUB TOTAL	$ 900.

ANNUAL GRANTS

COMMUNITY GROUP	AMOUNT
GILKSON COUNCIL	$ 466.
PARKWOOD SPORTS COUNCIL	433.
FRIENDS OF GAGE PARK	466.
NORTH CENTRAL	466.
BUCHANAN COUNCIL	400.
GOURLEY PARK ASSOCIATION	500.
TRENHOLME COUNCIL	500.
BEACH STRIP/WOODWARD COUNCIL	433.
HUNTINGTON COUNCIL	400.
CROWN POINT COUNCIL	300.
KIRKENDALL NEIGHBOURHOOD ASSOCIATION	400.
TEMPLEMEAD COUNCIL	466.
HIGHVIEW COUNCIL	300.
QUINNDALE COUNCIL	300.
SUB TOTAL	$5,830.
TOTAL	**$6,730.**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1994 and respectfully recommends:

1. That a purchase order be issued to Turnstiles & Railings '81, in the amount of $74,244 through Infrastructure Account No. CH56103 62910 FAC 030, for the supply and delivery of portable turnstiles, being the lowest of two tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

2. That approval as required by Section 24 (1) and Section 5 (b) of Parks By-law 77-221, be given to the Rotary Club of Hamilton to sell alcohol beverages and barbecue on the occasion of their Rotary Barbecue, Wednesday, 1994 August 31 from 5:00 o'clock p.m. to 10:00 o'clock p.m. at Pier 4 Park subject to the following terms and conditions:

   (a) That proof of $2 million General Liability Insurance for Property Damage and Bodily Injury and $5 million liquor liability insurance, naming the City as co-insured with a cross liability clause, be provided; and,

   (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, clean-up, etc.); and,

   (c) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages; and,

   (d) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,

(e) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Agro, McCulloch, Jackson. -3. **CARRIED.**

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Stella Glover
Acting Secretary

1994 July 26

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1994 and respectfully recommends:

1. (a) That the Westdale B.I.A. be reimbursed by the City of Hamilton in the amount of $2,252. being the estimated cost for the B.I.A. to water the hanging floral baskets within their business improvement area; and,

(b) That the Finance and Administration Committee be requested to recommend the method of financing. **REFERRED TO FINANCE AND ADMINISTRATION COMMITTEE.**

Recorded vote.

YEAS: Aldermen McCulloch, Drury, Morelli, Copps, Wilson, Jackson, Merling, Anderson, D'Amico, Ross. 10.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Eisenberger. -5.

2. (a) That approval be given Zoning Application ZAR-94-12, Barton Retirement Inc., Lessee, requesting a further modification to the established "DE-3" (Multiple Dwellings) District to permit an increase in the number of nursing home beds for the existing nursing home from 108 to 120, on lands located at 1430 Upper Wellington Street, as shown on the attached map marked as Appendix "A", on the following basis:

(i) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, as amended by By-law No. 89-313, applicable to the subject lands, be further modified to include the following variances as special requirements:

(a) That Clause (a) of Section 2 of By-law No. 89-313 be deleted and replaced with the following:

"(a) notwithstanding the provisions of Section 10C(1) of By-law No. 6593, only the following use shall be permitted:

1. a combined two storey 120 bed nursing home and a three storey 83 unit senior citizens multiple dwelling;"

(b) That Clause (e) of Section 2 of By-law No. 89-313 be deleted and replaced with the following:

"(e) notwithstanding TABLE 1 referred to in Section 18A of By-law No. 6593, not less than 78 parking spaces shall be provided and maintained for the combined nursing home/senior citizens multiple dwelling use referred to in clause (a);"

(ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1140a, and that the subject lands on Zoning District Map E-9C be notated S-1140a;

(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and By-law No. 89-313, and Zoning District Map E-9C for presentation to Council; and,

(iv) The proposed change is in conformity with the Official Plan for the Hamilton Planning Area.

(b) That the proposed addition attached hereto as Appendix "B" be exempt from Site Plan Control and that the Building Commissioner be so advised.

3. That approval be given to City Initiative 91-G, for a further modification to Zoning by-law No. 6593, as amended by By-law Nos. 92-281 and 93-063, for a further modification to the front yard parking regulations for single, two, three-family and converted dwellings, on the following basis:

(a) That Section 18A(14a) of Zoning By-law No. 6593 be amended by:

(i) deleting the word "and" between the words "single-family" and "two-family";

(ii) adding the words ", and three-family dwelling" between the words "dwelling" and "erected";

(iii) replacing the words "parking area" with "parking space"; and,

(iv) adding the words "for a single-family dwelling, two-family dwelling and three-family dwelling" between the words "space" and "in";

so the entire clause reads as follows:

"Except for single-family dwellings, two-family dwellings and three-family dwellings erected prior to the 14th day of December 1971, no part of a required parking space for a single-family dwelling, two-family dwelling or three-family dwelling in a residential districts shall be located in a required front yard and not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials."

(b) That Section 18A(14b) of Zoning By-law No. 6593 be amended by:

(i) deleting the word "and" between the words "single-family" and "two-family"; and,

(ii) adding the words ", and three-family dwelling" between the words "dwelling" and "erected";

so the clause reads as follows:

"For single-family dwellings, two family dwellings and three-family dwellings erected prior to the 14th day of December....."

(c) That Section 18A be amended by adding a new clause as (14c) as follows:

"Where a single-family dwelling, two-family dwelling or three-family dwelling in a residential district is located on a corner lot, parking may be permitted in the side yard that abuts the street line provided that:

(i) the area for parking shall not occupy more than 50% of the gross area of the side yard; and,

(ii) not less than 50% of the gross area of the side yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials."

(d) That Section 18A be amended by adding a new clause as (14d) as follows:

"For the purposes of clauses (14a) and (14b), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;
(iv) front steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms; and,
(x) a walkway between the front entrance of the principal dwelling and the street line or driveway with a maximum width of 0.6 m."

(e) That Section 18A be amended by adding a new clause (14e) as follows:

"For purposes of clause (14c), the gross area of the side yard shall be calculated as the area between the side lot line and a principle dwelling and the area extending from the front yard to the rear yard subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;
(iv) side steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms;
(x) alcoves;
(xi) stairwells; and,
(xii) a walkway located along the side of the principal dwelling between the front line and the rear line of the principle dwelling with a maximum width of 0.6 m."

(f) That Section 18A be amended by adding a new clause as (14f) as follows:

"Notwithstanding clauses (14a) and (14b), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:

(i) a driveway between the front entrance of the garage and the street line with maximum width of:

(1) 3.0 m for each door of a one, two or three car garage; or,
(2) 5.5 m for a double door of a two car garage; and,

(ii) a walkway between the front entrance of the principal dwelling and the street line or driveway with a maximum width of 0.6 m.

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel pavers, or other similar materials."

(g) That Section 19.(1)(v) be amended by adding a new subclause (4) as follows:

"where a side yard abuts a street line, not less than 50% of the gross area of the side yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials."

(h) That Section 19.(1) be amended by adding a new clause (vi) as follows:

"For the purposes of clause 19.(1)(v), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;
(iv) front steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms; and,

(x) a walkway between the front entrance of the principal dwelling and the street line or driveway with a maximum width of 0.6 m."

(i) That Section 19.(1) be amended by adding a new clause (vii) to define the "gross area of the side yard"

"For purposes of clause 19(1)(v)(4), the gross area of the side yard shall be calculated as the area between the side lot line and a principle dwelling and the area extending from the front yard to the rear yard subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;
(iv) side steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms;
(x) alcoves;
(xi) stairwells; and,
(xii) a walkway located along the side of the principal dwelling between the front line and the rear line of the principle dwelling with a maximum width of 0.6 m."

(j) That Section 19.(1) be amended by adding a new clause (viii) to deal with percentage of landscaping on pie shaped lots

"Notwithstanding clause 19.(1)(v), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:

(i) a driveway between the front entrance of the garage and the street line with maximum width of:

(1) 3.0 m for each door of a one, two or three car garage; or,
(2) 5.5 m for a double door of a two car garage; and,

(ii) a walkway between the front entrance of the principal dwelling and the street line or driveway with a maximum width of 0.6 m.

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel pavers, or other similar materials."

(k) That Section 19.(2)(vi) be amended by adding a new subclause (4) as follows:

"where a side yard abuts a street line, not less than 50% of the gross area of the side yard shall be used for a landscaped area excluding concrete, asphalt, gravel pavers, or other similar materials."

(l) That Section 19.(2) be amende by adding a new clause (vii) as follows:

"For the purposes of clause 19.(2)(vi), the gross area of the front yard shall be calculated as the area between the front lot line and the front of the principle dwelling and the area extending from the side lot line to side lot line but subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;
(iv) front steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms; and,
(x) a walkway between the front entrance of the principal building and the street line or driveway with a maximum width of 0.6 m."

(m) That Section 19.(2) be amended by adding a new clause (viii) as follows:

"For purposes of clause 19(2)(vi)(4), the gross area of the side yard shall be calculated as the area between the side lot line and a principle dwelling and the area extending from the front yard to the rear yard subtracting:

(i) unenclosed entrance porches;
(ii) vestibules;
(iii) ramps;

(iv) side steps;
(v) chimneys;
(vi) bay windows;
(vii) ornamental projections;
(viii) terraces;
(ix) platforms;
(x) alcoves;
(xi) stairwells; and,
(xii) a walkway located along the side of the principal dwelling between the front line and the rear line of the principle dwelling with a maximum width of 0.6 m."

(n) That Section 19.(2) be amended by adding a new clause (ix) as follows:

"Notwithstanding clause 19.(2)(vi), in cases where at least half the front lot line is curved and the landscaped area of the front yard is less than 50%, the following exemptions for the calculation of the gross area of the front yard shall apply:

(i) a driveway between the front entrance of the garage and the street line with maximum width of:

(1) 3.0 m for each door of a one, two or three car garage; or,
(2) 5.5 m for a double door of a two car garage; and,

(ii) a walkway between the front entrance of the principal dwelling and the street line or driveway with a maximum width of 0.6 m.

provided all the remaining area shall be landscaped excluding concrete, asphalt, gravel pavers, or other similar materials."

(o) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(p) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

4. (a) That approval be given to Application CD-93-003, under the Rental Housing Protection Act, L.A.J.J. Enterprises Inc., owner, for conversion of 53 rental apartment units to condominium units for one property located at 5-7 Rockwood Place, 9-11 Rockwood Place, 362-366 John Street South and 21-25 Mountwood Avenue, subject to the following conditions:

(i) That the Owner offer, in writing, to the Tenants named in Appendix "C", the right to lease their current unit, noted in Appendix "C", for a period of not less than one year from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in Appendix "C", upon the following minimum terms:

(1) the Offer must be made within 45 days of the date this resolution is approved by City Council and shall be open for acceptance by the Tenants for a period of at least 21 days;

(2) that leases entered into as a result of (i) above, be executed prior to the City's execution of the RHPA Approval Agreement;

(3) that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended;

(4) that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,

(5) that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.

(ii) That the Owner grant to the Tenants named in Appendix "C" an Option to Purchase a Unit specified in Appendix "C", (together with appurtenant interests). Such Option shall allow each tenant at least one year from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner, which Agreement shall incorporate the conditions in Appendix "D" annexed hereto;

(iii) That the Tenant shall have 30 days from receipt of such Option to sign and return to the Owner a copy of the Option acknowledging that he is interested in having the Option in his/her favour and acknowledging that he/she realizes that a formal Notice in writing to the Owner signed by the Tenant shall be received by the Owner on or before the date for such Notice specified in the Option;

(iv) That this RHPA approval shall cease and be at an end,

(1) if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,

(2) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;

(v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Local Planning and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in Appendix "E" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;

(vi) In the event that the Owner proposes to sell all of the subject lands, he shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein; and,

(b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

5. That approval be given to Application DE-93-001, under the Rental Housing Protection Act, Hamilton-Lincoln Towers, Inc., owner, for demolition of a mixed commercial/residential building containing three (3) commercial units and eight (8) rental apartment units, for property located at 322-326 King Street East, as shown on the attached map marked as Appendix "F", on the following basis:

the application meets criteria #3 of the Rental Housing Protection Act which states "the proposal does not adversely affect the supply of affordable rental housing".

6. That the building located at 322 - 326 King Street East be subject to the provisions of the Demolition Control By-Law pursuant to Section 33 of The Planning Act and that no demolition permit be issued until such time as a building permit to erect a new building on the site is issued.

7. (a) That Official Plan Amendment Application, Chedoke Health Corporation, owner, requesting a redesignation of lands within the Mountview Neighbourhood from "Major Institutional" to "Residential" and "Open Space"; to create a new Schedule "J-1" for the Chedmac Secondary Plan Planning Area; and to establish new policies relating to the introduction of a new Schedule "J-1", as shown on Appendix "G", be denied for the following reason:

the proposed development is not desirable for the subjects lands.

(b) that the request by Chedoke Health Corporation to amend the Mountview Neighbourhood Plan in accordance with Schedule "J-1" of Official Plan Amendment Application as shown on Appendix "G" be denied for the following reason"

the proposed development is not desirable for the subject lands.

8. That appropriate conditions for demolition control under Section 33 of the Planning Act be applied to all buildings with a residential component in the Central Area bounded by Victoria Avenue, the Escarpment, Queen Street and the Harbour.

9. (a) That the Public Works Department make application for an amount up to a total gross authorization of $269,610. under the Provincial Government's Jobs Ontario - Community Capital Program, for the implementation of the landscaping and streetscaping component of the revitalization of Ferguson Avenue between Barton and Cannon Streets, and that this project be proceeded with only on approval of provincial funding.

(b) That the monies contributed by the Provincial Government, should the application prove successful, be deducted from the 1995-2003 Capital Budget submission for revitalization of Ferguson Avenue.

(c) That the Finance and Administration Committee be requested to recommend the method of financing.

10. (a) That City Council give approval to the "Intent to Designate" the former St. Mark's Anglican Church site at 130 Bay Street South as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1989, as outlined in the Reasons for Designation attached hereto and marked Appendix "H"; and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1989.

11. (a) That Section 39 of the First Report of the Planning and Development Committee for 1991, respecting Zoning Application ZA-91-56, 943937 Ontario Inc. (J. Lecluse), prospective owner, for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations to permit two car dealerships, including accessory auto body and paint shops, for lands located on the east side of Upper James Street, south of Regina Drive (Nos. 1489, 1491, 1493, 1495 and 1505 Upper James Street), be repealed in its entirety.

(b) That the City Clerk be directed to advise the Secretary-Treasurer of the Committee of Adjustment respecting the above.

12. (a) That the request by A.J. Cameracci, P. Eng., Urbex Engineering Limited, on behalf of T. Valery Construction Limited, owners, to extend draft plan approval for "Ridgeview Estates" subdivision under Regional File No. 25T-76046 for a further one (1) year period to August 29, 1995, be approved.

(b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.

13. That approval be given to the Scoped Environmental Impact Statement, for the property located on the west side of Nash Road, north of the C.N.R. railway tracks, as shown on the attached map marked as Appendix "I", on the following basis:

(a) That the Storm Water Management and Treatment measures, as identified in the Environmental Impact Statement, be incorporated into the Site Plan Agreement; and,

(b) That the City Clerk be requested to notify the Region of Council's decision.

14. That the City Treasurer be directed to close Capital Accounts CF508541003 - Accommodation Requirements and CF509141017 - Renovate Administration & Examination Sections, and that the unexpended amount of $5,380.46 be transferred to its original source of financing.

CAPITAL CENTRE NUMBER	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FUNDING
CF 508541003	Accommodation Requirements - Building Dept.	$29,900	$24,519.54	$5,380.46	Reserve for capital projects
CF 509141017	Renovate Administration & Exam Sections	$125,000	$125,294.45	($294.45)	Reserve for capital projects

15. (a) That Section 19 of By-law No. 74-74 be amended by adding Subsection (7),

(i) (1) "Exterior walls of a building or structure and their components shall be maintained free of painted slogans, graffiti, or similar defacements"; and,

(2) Exterior walls of a building or structure, and their components, shall be maintained free of posters or advertisements which are:

(a) for events which have already occurred; or

(b) which are, or may become, loosened, dislodged, torn or otherwise in a condition which may permit them to detach and become litter.

(b) That the appropriate By-law be enacted by Council.

16. That approval be given to the request from James Street Baptist Church, 96 James Street South, Hamilton to defer payment for another year on the principal portion of their Heritage Trust Fund Loan. (Note: This reduces the monthly payment from $555.13 to $214.63.)

17. (a) That Appointment By-law No. 92-094, Section 9, be amended by deleting the following names: Rae Ilton, Alexander Fedora, Charles Hewitt, Gail Nolan; and,

(b) That Section 9 be further amended by adding the following names: Gail Stevenson, Douglas Tam, Zoran Kristo, Frank Genovese, Alison Orr, Marianne Lyon, Sarah Bradley, Erin McClintock, Joyanne Beckett; and,

(c) That the appropriate By-law be enacted by Council.

18. That a Commercial Loan in the amount of twenty five thousand dollars ($25,000.) be approved for I. Margaret Higgins. The interest rate will be 4 per cent amortized over 10 years.

19. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and forty-two dollars ($1,342.) be approved for Neil and Elaine Bohnert, 443 Melvin Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

20. That the Building Commissioner be authorized to issue demolition permits for:

(a) 701 Upper Sherman Avenue
(b) 1400 Upper Sherman Avenue
(c) 132 Craigroyston Avenue (subject to demolition control)
(d) 112 Province Street North
(e) 499 Charlton Avenue East
(f) 50 Holly Avenue
(g) 108 Annabelle Street
(h) 1067 Rymal Road East

21. That the total outstanding Commercial Loan for Agommen Ltd., 303-307 King Street East, Hamilton, in the amount of $31,858.61 be placed on the Tax Rolls.

22. That leave be granted to introduce the following Bills:

(a) C-33 A By-law to designate land located at Municipal No. 36 Hunter Street East as property of historic and architectural value and interest.

(b) C-34 A By-law to designate land located at Municipal No. 22 Veevers Drive as property of historic and architectural value and interest.

(c) C-35 A By-law to adopt Official Plan Amendment No. 124 respecting lands located at the northwest corner of Rymal Road West and Garth Street, within the Falkirk East Neighbourhood.

(d) C-36 A By-law to adopt Official Plan Amendment No. 126 respecting lands located on the west side of Garth Street, south of the freeway, and known Municipally as No. 44 Greendale Drive, within the Gilkson Neighbourhood.

(e) C-37 A By-law to adopt Official Plan Amendment No. 127 respecting lands located on the north west side of Walnut Street, north of Forest Avenue, and known municipally as No. 180 Walnut Street within the Corktown Neighbourhood.

(f) C-38 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 9 Brantdale Avenue.

(g) C-39 A By-law to amend By-law No. 74-74 to amend the Property Standards By-law.

(h) C-40 A By-law to amend By-law No. 92-094 Appointment of Inspectors.

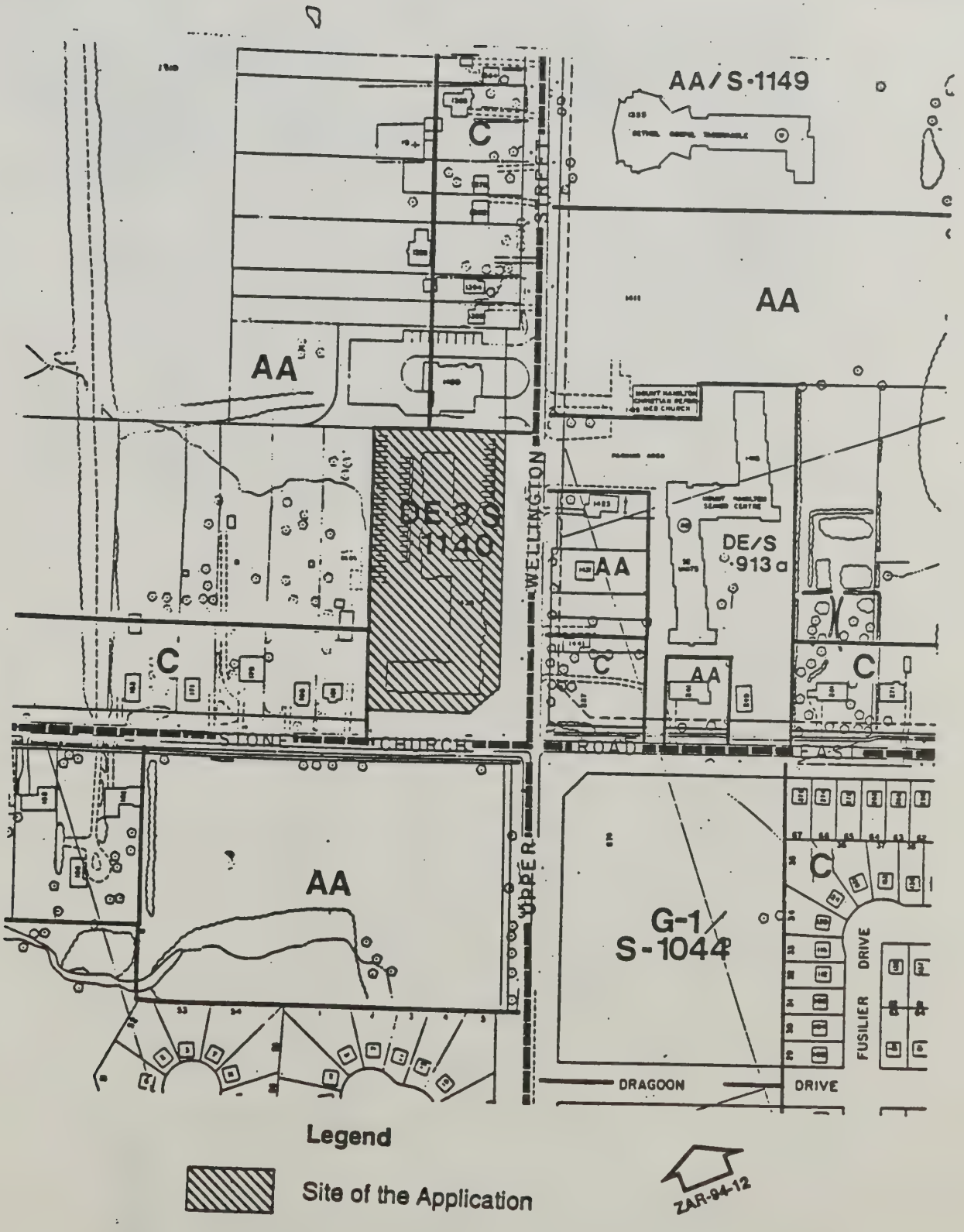
(i) C-41 A By-law to amend Zoning By-law No. 6593 respecting lands located at the north-west corner of Garth Street and Rymal Road West.

(j) C-42 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 75-190 respecting land located at No. 44 Greendale Drive.
ADDED.

RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello
Secretary
1994 July 20


AA/S-1149
C
AA
AA
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1140
WELLINGTON
STREET
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913a
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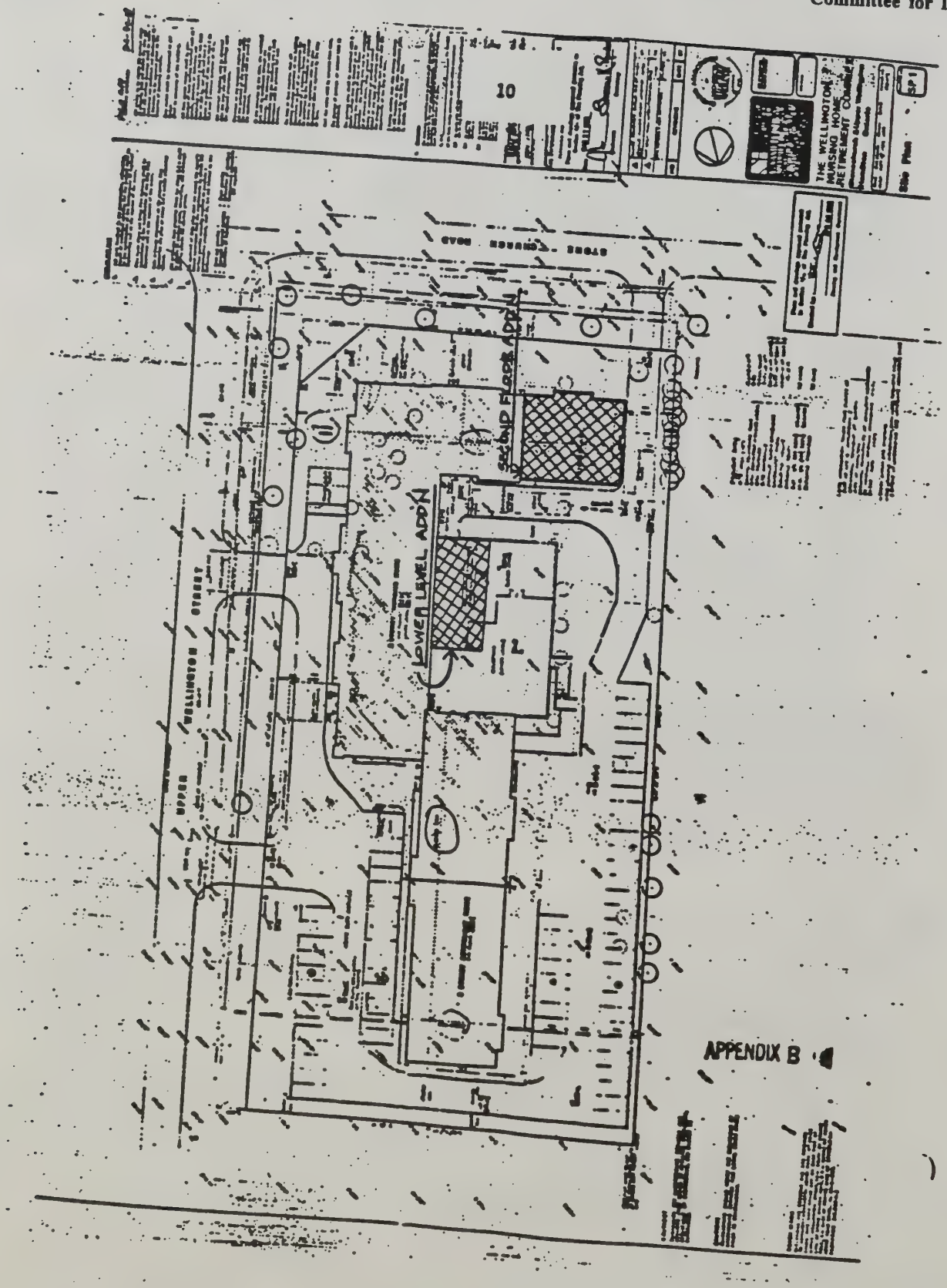
AA
C
STONE CHURCH
ROAD
EAST
AA
UPPER
C
G-1
S-1044
FUSILIER
DRIVE
DRAGOON
DRIVE
Legend
Site of the Application
ZAR-94-12

Appendix "B" as referred to in Section 2(b) of the ELEVENTH Report of the Planning and Development Committee for 1994



TENANTS AND MONTHLY RENTAL CHARGES AS OF JULY 1, 1994

362-366 John Street South

Apt. 1
Simon Head
362 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 2
Brenda Doxtator
362 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 3
Robert McGuffin
Joan McGuffin
362 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 4
Bruce Young
Jennifer Cox
362 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 5
VACANT
362 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 6
Dennis Oliver
362 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 7
Michele McLeod
362 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 8
Eric Martinez
366 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 9
Glen Prosser
366 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 10
Jerry Guerini
366 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 11
Lynda Farrell
366 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

Apt. 12
Scott Hamilton
366 John Street South
Hamilton, Ontario
L8N 2E4

One-Bedroom/$569.63

Apt. 14
Martha Wilson
366 John Street South
Hamilton, Ontario
L8N 2E4

Two-Bedroom/$618.51

21-25 Mountwood Avenue

1994 July 26

Apt. 1 — Barbara Rivero
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 2 — Bruce Young
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 3 — VACANT
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 4 — Rose Giglia
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 5 — Diane Harding
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 6 — Don Kirovac
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 7 — Laura Kaneva
21 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 8 — Delilah Bain
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 9 — VACANT
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 10 — Andrew Holman
Andrea Doty
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 11 — Alex Gillespie
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

Apt. 12 — Jim Bird
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

One-Bedroom/$569.63

Apt. 14 — Alex MacDougall
25 Mountwood Avenue
Hamilton, Ontario
L8N 2G8

Two-Bedroom/$618.51

5-7 Rockwood Place

1994 July 26

Apt. 1	Juliane Begg 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51	Apt. 8	Brian Luckett 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63
Apt. 2	Duane Sullivan 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63	Apt. 9	Walter Giansante 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51
Apt. 3	Mohammed Boumerzoug 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51	Apt. 10	Pamela Heit 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63
Apt. 4	Christopher Redford 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63	Apt. 11	Richard Rodriguez 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51
Apt. 5	Julianne Waller 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51	Apt. 12	Wayne Savoy 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63
Apt. 6	Roger McCreary 5 Rockwood Place Hamilton, Ontario L8N 2G3 One-Bedroom/$569.63	Apt. 14	Cari Addison 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51
Apt. 7	Yvonne McLaughlin 5 Rockwood Place Hamilton, Ontario L8N 2G3 Two-Bedroom/$618.51	Apt. 15	Robert Arthur 5 Rockwood Place Hamilton, Ontario L8N 2G3 Bachelor/$220.00

9-11 Rockwood Place

1994 July 26

Apt. 1 — James Burchell
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 2 — Henry Jonas
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 3 — Catherine Boucher
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 4 — Gary Townsend
Dawn Townsend
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 5 — Daryl MacTavish
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 6 — Teresa Dupuis
Maureen Newport
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 7 — Scott Morgan
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 8 — Anna Stranges
Antonietta Stranges
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 9 — Susan Breckenridge
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 10 — VACANT
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 11 — Robert Simmons
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

Apt. 12 — Mark Lyons
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

One-Bedroom/$569.63

Apt. 14 — Jerry Wahler
9 Rockwood Place
Hamilton, Ontario
L8N 2G3

Two-Bedroom/$618.51

The Agreement of Purchase and Sale shall provide,

(a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Landlord; and,

(b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall:

(i) not exceed Seventy-Two Thousand Dollars ($72,000.00) for a two-bedroom unit; and

(ii) not exceed Sixty-Three Thousand Dollars ($63,000.00) for a one-bedroom unit; and

(iii) not exceed Thirty-Five Thousand Dollars ($35,000.00) for the bachelor unit.

In the event the purchase price is not agreed upon for the one-bedroom and two-bedroom units, the purchase price shall be the lesser of $72,000 Thousand Dollars for a two-bedroom unit and $63,000 Thousand Dollars for a one-bedroom unit or the average sale price of similar units on the same property that have closed prior to the time the Option is exercised by the Tenant.

In the event that a purchase price less than Thirty-Five Thousand Dollars ($35,000.00) is not agreed upon for the bachelor unit, an accredited appraiser of real property shall be retained at the expense of the owner to provide an estimate of the fair market value of the bachelor unit, which price, if lower than Thirty-Five Thousand Dollars ($35,000.00), shall constitute the purchase price of the unit.

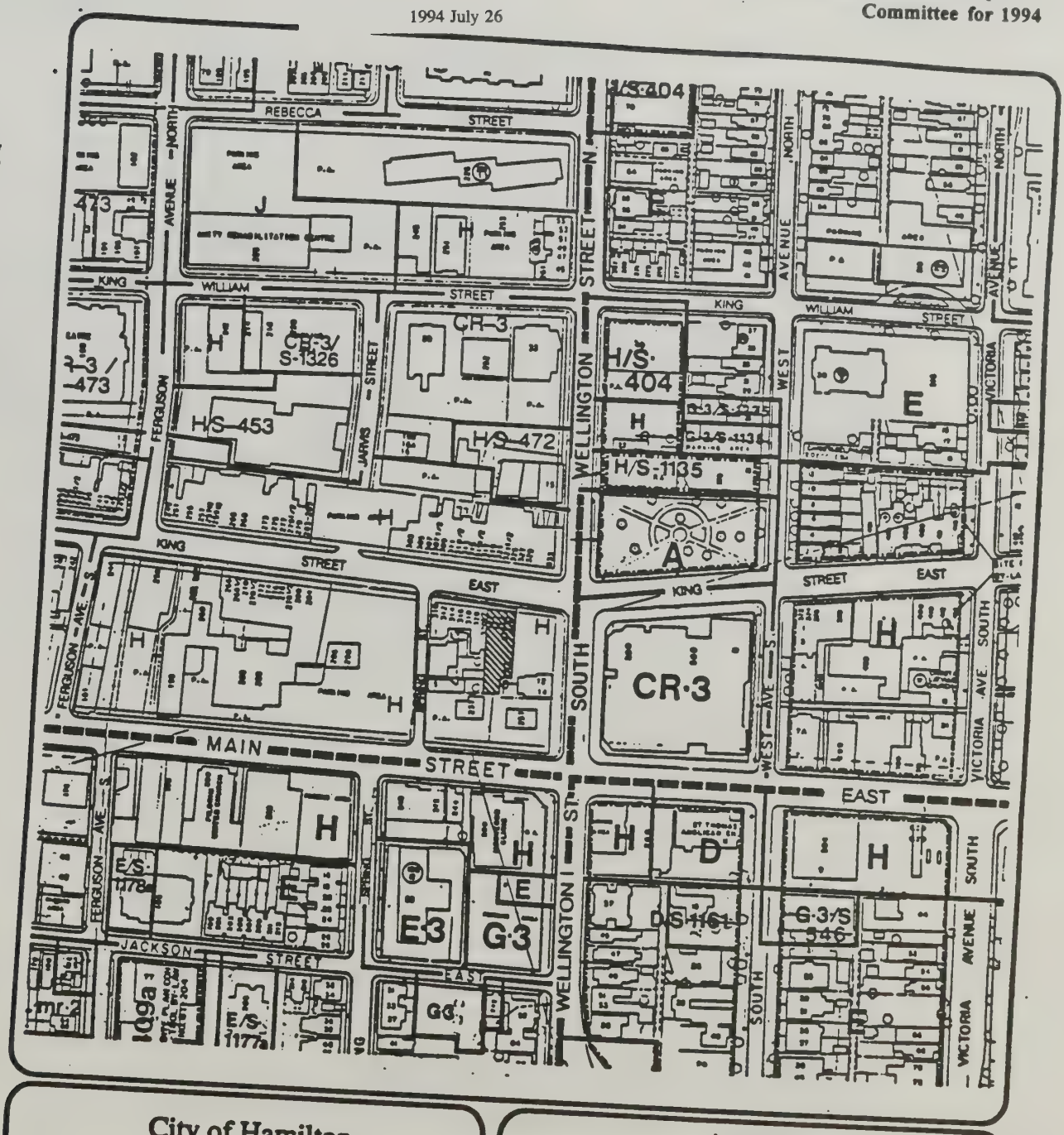
The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

(a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including payment of registration fees.

(b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.

(c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.

(d) If the Director of Local Planning receives a declaration from the Owner that a Tenant named in Appendix "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Local Planning shall send by registered mail to the Tenant at the rental unit listed in Appendix "A", a Notice that the Tenant's rights to the lease or Option, as the case may be, shall cease within twenty-one days of the mailing of the Notice unless the Tenant is still in possession of the premises and has within the said twenty-one day period, collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant. The Owner shall sign and return the document to the Tenant in accordance with the other time limits of this approval.



City of Hamilton

Key Map

Rental Housing Protection Act

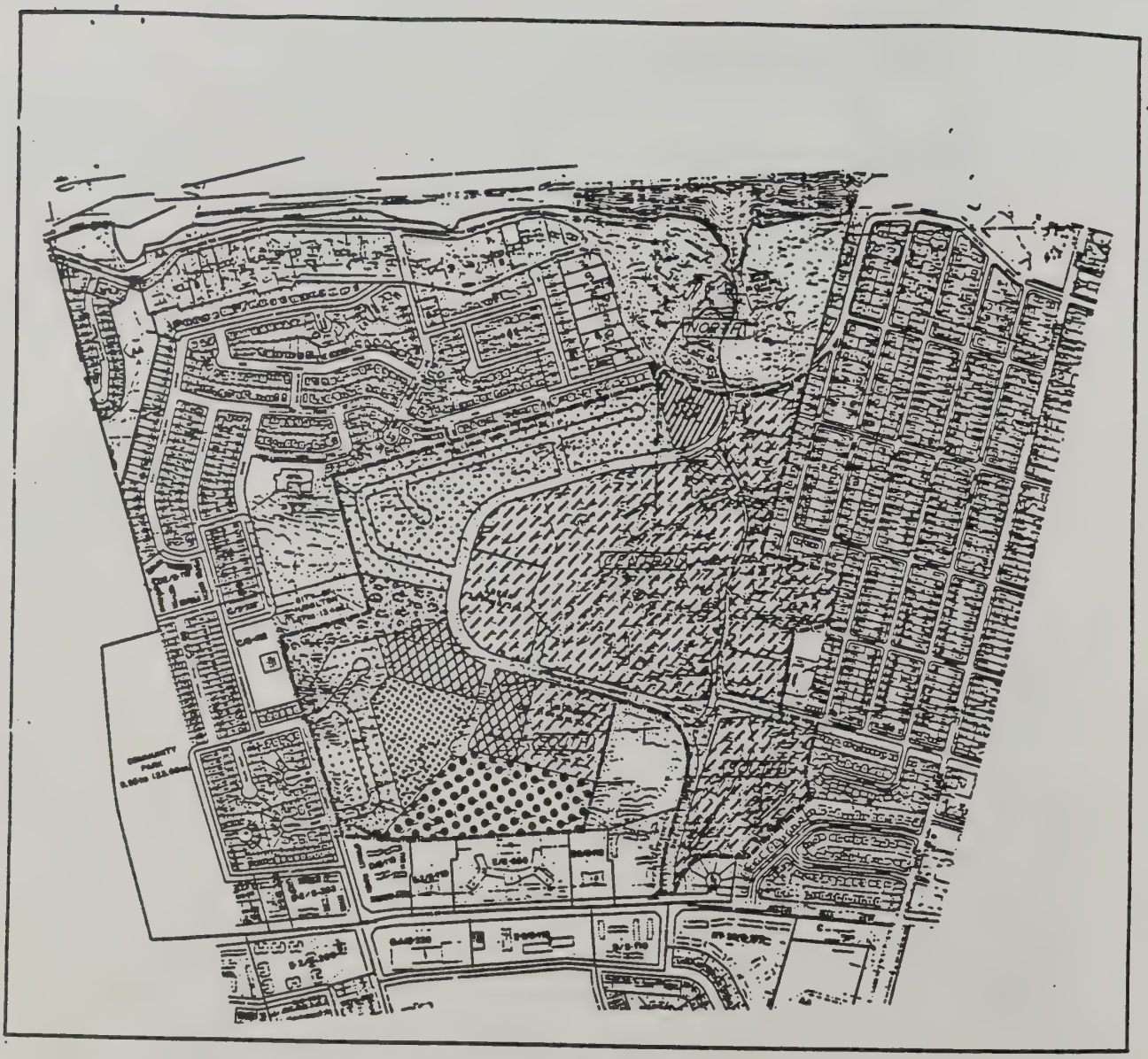
322 - 326 King Street East

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Location of Subject Lands

North	Scale	Reference File No.
	Not to Scale	DE-93-001
	Date	Drawn By
	JUNE 1994	Z.K.



Schedule "B"
To Official Plan Amendment No. _____

Chedmac Planning Area Secondary Plan

- Low Density
- Medium Density I
- Medium Density II
- Medium Density III
- Parkland
- Storm Water Detention Pond
- Major Institutional
- Chedmac Planning Area

1994 July 26

REASONS FOR DESIGNATION
THE FORMER ST. MARK'S ANGLICAN CHURCH
130 Bay Street South, Hamilton

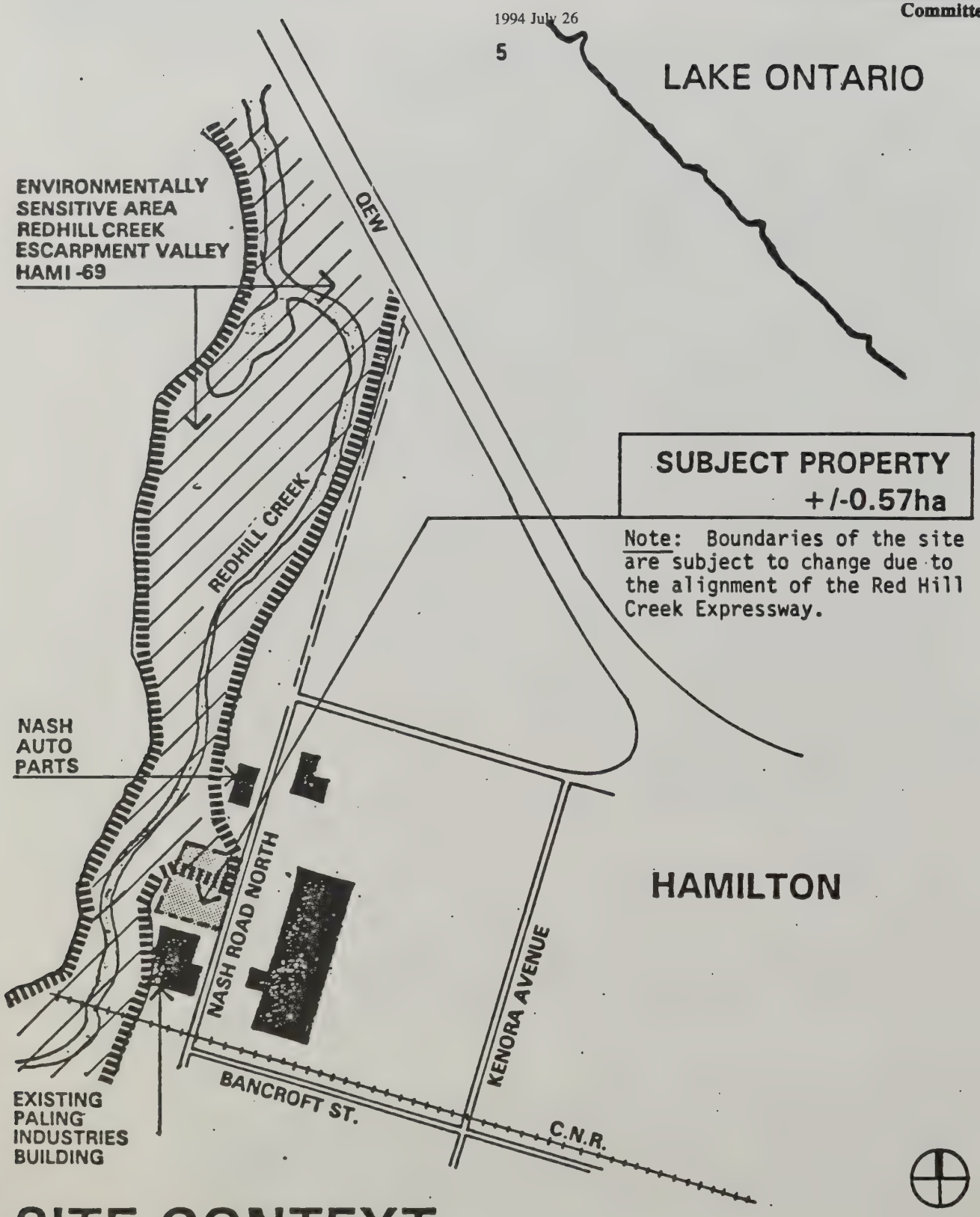
In 1877, construction of St. Mark's Anglican Church began at the southwest corner of Bay Street South and Hunter Street West. By January 1878, the church had its first service. Subsequently, a corner bell tower was erected on its Bay Street facade and, in 1925, the Sunday School was added to the west end of the sanctuary. The grounds in front of St. Mark's traditionally have been landscaped, creating a park-like setting for the church.

Context
In today's setting of high-rise apartment towers to the north, west and south, the St. Mark's property provides a welcome contrast with its open space and low-rise building. Situated across from the public grounds of Central School and City Hall, the church's front garden serves as an attractive amenity for the surrounding neighbourhood.

Architectural Significance
The Church and Sunday School together create a single story, L-shaped structure with an attached three-story tower. It is the fifth Anglican Church to be erected in Hamilton and the first to be constructed in brick. As originally built in 1878, St Mark's was a typical parish church building, designed in the vernacular Gothic Revival tradition. Characteristic of this late 19th-century version is the rectangular, one-story structure with gable roof, buttresses, belfry, and pointed arched windows. St. Mark's Church is distinguished in the use of brick corbelling and sets of triple arched windows which formerly contained stained glass. A bell tower, built later, adds a strong architectural feature to the east facade, while the gothic Sunday School and entrance porch of 1925 blend harmoniously with the original design of the church.

Historical Significance
The parish of St. Mark's was founded in 1877 by H. G. Sutherland as the first "free pew" Anglican Church in the city. St. Mark's is said to be the first Anglican Church in Hamilton to introduce "advanced ritual" or high church service, daily service, Gregorian music, as well as many other innovations. After over a hundred years of serving the Anglican community, the church was closed and disestablished in 1989.

Designated Features
Of particular importance to the preservation of the former St. Mark's Church are the original features of the east, north, and south facades; the original window openings and doors; the Sunday School addition; the bell tower and the entrance porch. Also important to the site is the retention of the open green space which provides the church with an unique setting among the city's downtown churches.



SITE CONTEXT

SCALE NTS

BASCIANO O'CONNOR LANDSCAPE ARCHITECTS

Burlington, Ontario
Tel (905) 681-7604

Paling Industries Ltd.
409-473 Nash Road, Hamilton

Figure 1

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1994 and respectfully recommends:

1. (a) That no action be taken on a proposed amalgamation of the City Treasury and Regional Finance Departments, the City and Regional Clerk's Offices and the City Law Department and the Regional Legal Services Department as joint Regional/City Departments reporting to both Councils; and,

   (b) That the Regional and City Chief Administrative Officers report back to their respective Committees and Councils by 1994 September 30th on:

      (i) the on-going process of downsizing and delayering efforts being made within the above-noted Departments; and,

      (ii) the proposed amalgamation of the City Treasury and Regional Finance Departments with conversion to either a Regional Department or a City Department where the other level of government purchases services.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON,
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1994 July 19

SKR

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1994 and respectfully recommends:

1. (a) That a Special Committee of Hamilton citizens called the VE Day Celebrations Committee be appointed to begin planning events to commemorate the 50th Anniversary of Victory in Europe in 1995.

   The Committee shall consist of:

   (i) A Chairman, a Vice Chairman, the Mayor and one Alderman;

   (ii) The President of the United Council of Veterans;

   (iii) The Zone Commander of the Royal Canadian Legion, (or his designee if not a Hamiltonian);

   (iv) The Chairman of the Hamilton Veterans Committee;

   (v) The Co-ordinator for "Canada Remembers", Veterans Affairs Canada;

   (vi) Additional members may be appointed with the approval of Council.

   (b) That this Committee shall report to City Council through the Finance and Administration Committee;

   (c) That this Committee should prepare an initial set of recommendations for City sponsored events relating to VE Day in Hamilton as soon as possible;

   (d) That this Committee should prepare a proposed budget as soon as possible for presentation to the Finance and Administration Committee.

2. That the condition on Mr. Donald Horrocks' Taxi Licence #244 prohibiting the sale of said licence for a period of fifteen years from the date of issuance as approved by City Council at its meeting held 1981 May 26, be rescinded.

3. (a) That the City of Hamilton host a Civic Reception for the World Basketball Championships, for up to 300 people, at the Hamilton Convention Centre on Sunday, 1994 August 7, at a cost of $5,000; and,

   (b) That funding for this expenditure be charged to the Special Hosting Account No. CH 55314 84010.

4. That as referred to in Section 29 of the Twelfth Report of the Parks and Recreation Committee for 1994, the additional funding of $100,000. required for the West Harbourfront Development Study being considered for an increase from $300,000. to $400,000. be financed from the Provincial Government's Jobs Ontario Community Action Program.

5. (a) That as referred to in Section 5 of the Tenth Report of the Transport and Environment Committee for 1994, the City Solicitor be authorized to prepare an appropriate By-Law to construct a combined sidewalk and curb on the south side of Brock Street from John Street to approximately 24m east of Hughson Street (frontage 10 Brock Street) under the Local Improvement Act at an estimated cost of $27,800., with a City's share of $21,568. to be financed from the 1994 Capital Levy (Account Centre No. CH 22002) and the balance of $6,232. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years; and,

   (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $6,232. for a term not to exceed 20 years for the above project.

6. That the City Treasurer be directed to close the following Capital Project account:

Capital Centre Number	**Project Description**	**Authorized Gross Cost**	**Expended/ Committed To Date**	**Balance Available**	**Source(s) of Financing**
259041006	Y.W.C.A. Capital Grant	$750,000.	$750,000.	Nil	Reserve for Capital Projects

7. That as referred to in Section 26 of the Twelfth Report of the Parks and Recreation Committee for 1994, the additional cost required for the construction of two tennis courts in Gourley Park in the amount of $16,000. be allocated out of the 1994 Capital Contingency Account and financed from the Reserve for Capital Projects, Account Centre No. CH00203.

8. That as referred to in Section 9 of the Eleventh Report of the Planning and Development Committee for 1994, the additional funding of $269,610. required for Ferguson Avenue between Barton and Cannon Streets being considered for the implementation of the landscaping and streets scaping component of the revitalization of Ferguson Avenue between Barton and Cannon Streets be financed from the Provincial Government's Jobs Ontario Community Action Program.

9. That the Mayor and City Clerk be authorized to enter into an agreement satisfactory to the City Solicitor with the Federal and Province of Ontario Governments in relation to the Canada/Ontario Infrastructure Works for the following projects:

Project Description	Gross Cost (Net of GST)
(a) Road & Sidewalk Reconstruction Program	$ 3,800,000.
(b) Ivor Wynne Stadium Improvements	2,673,055.
(c) Central Utilities Plant (C.U.P.) - Trigeneration	6,064,500.
(d) Hamilton Society for the Prevention of Cruelty to Animals Inc.	4,800,000.
(e) Barrier Free Design Access - Recreation Buildings	268,000.
(f) Barrier Free Design Access - Recreation Buildings	188,000.
(g) Barrier Free Design Access - City Owned Buildings	2,900,000.
	$20,693,555.

10. That a purchase order be issued to Robert Slessor Pontiac Buick Inc., Grimsby, in the amount of $68,671.10, including all applicable taxes, for the supply and delivery of two (2) Crew Cab Stake Dump Trucks, being the lowest of three quotations received in accordance with specifications issued by the Purchasing Division and Vendor's quotation, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

11. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 July 14, attached hereto and marked Appendix "A", be approved.

12. That the following capital accounts regarding information technology-related projects be closed and that the remaining funds be credited to the original source of funding as per the following table:

Capital Centre #	Project Description	Authorized Cost	Expended/Committed	Balance Available	Source of Funds
269251002	Network Replacement (1992)	$139,000.	$138,296.	$ 704.	Reserve for Capital
269051013	Computer Software (1990)	$125,000.	$121,090.	$3,910.	Reserve for Capital
269051015	Computer Software (1989)	$150,000.	$145,860.	$4,140.	Reserve for Capital
268851002	Computer Software (1988)	$125,000.	$124,936.	$ 64.	Reserve for Capital
268851001	Computer Environment Improvements	$ 50,000.	$ 49,683.	$ 317.	Reserve for Capital
268751002	Computer Software (1987)	$141,650.	$141,586.	$ 64.	Capital Levy
268651002	Data Base 4th Generation Language (1986)	$550,000.	$549,368.	$ 632.	Capital Levy
Total				$9,831.	

13. (a) That approval be given to the request of the C.N.I.B. to use the Forecourt and related equipment for an assembling and registration point for the C.N.I.B. Walkathon from 9:00 o'clock a.m. - 11:00 o'clock a.m. on Sunday, 1994 August 28; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

14. (a) That approval be given to the request of the Take Back the Night Committee to use the City Hall Forecourt, first floor foyer and washrooms on Thursday, 1994 September 22, from 6:00 o'clock p.m. to 11:00 o'clock p.m., for a rally in conjunction with the annual Take Back the Night March; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

15. (a) That approval be given to the request of the Police Services Board of Inquiry to use the City Hall Council Chamber and Room 264 for a Board of Inquiry hearing and retiring room on 1994 October 6, 7, 12, 13, 14, 17, 19, and 25 from 9:00 o'clock a.m. to 5:00 o'clock p.m. and on 1994 October 26, from 9:00 o'clock a.m. to 3:00 o'clock p.m.; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

16. (a) That approval be given to the request of Tele-Touch, a United Way Agency, to use the City Hall forecourt on Friday, 1994 August 12, from 10:30 o'clock a.m. to 2:30 o'clock p.m., for a Hot Dog Sale in aid of the United Way; and,

(b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

17. That the Corporation of the City of Hamilton exercise its third year option under the current agreement with Wascana Energy (formerly Saskatchewan Oil and Gas Corporation) for the supply of natural gas on a direct purchase basis to all City owned buildings, and accept their offer to extend the current agreement from 1994 July 1 to 1994 November 1 at a price of $1.97/Gigajoule.

18. That approval be given to advise the Board of Education for the City of Hamilton that the following properties, which are surplus to the Board's requirements, are not required for any municipal purpose at this time:

Brantdale School	- 15 Brantdale Avenue - Square footage approximately 15,531 - Situated on a 1 acre site
Onteora School	- 243 Fennell Avenue East - Square footage - two buildings - 1923 - approx. 5,354 - 1961 - approx. 18,300
Ridge School	- 1289 Upper James Street - Square footage - approximately 11,655 - Situated on a 1.45 acre site
Vacant Site	- 0.338 acre site - located at corner of Millwood Place and Fielding Drive in the Bruleville Neighbourhood

Vacant Site	- 6 acre site - located off Nash Road between Nugent Drive and Kentley Drive in the Kentley Neighbourhood

19. That Alderman Bob Charters be appointed to serve as the City of Hamilton representative on the new Large Urban Section Executive of the Association of Municipalities of Ontario.

20. (a) That the Director of Property be authorized to proceed with security improvements at the workstation of the Aldermen's receptionist, which include a 20" high glass enclosure, a full counter top and two half height doors and electrical alterations to remove a potential safety hazard at an estimated cost of $3,250.; and,

    (b) That the cost of undertaking this security improvement be charged to the Capital Budget Account - City Hall Accommodation Requirements.

21. That approval be given for the use of the north and east walls of the gymnasium of West Avenue School, 255 West Avenue North, for the placement of a wall mural directly on the wall itself subject to the following conditions:

    (a) That all paint will be restricted to exterior latex; and,

    (b) That the final design and mural placement will be subject to review by the City's Art Co-ordinator.

22. That Moore Business Communications Services be awarded the contract for the laser printing, folding, insertion and mailing of Realty and Business Tax Bills and other tax related forms for the period commencing 1994 September 1 to 1995 December 31 at an estimated cost of $46,000. (lowest of 2 proposals received).

23. That the City Solicitor be authorized to file a Notice of Leave to Appeal to the Court of Appeal in the prosecution of Sun Studios Tanning Centre Limited concerning the licensing of transient vendors under By-law No. 93-071.

24. (a) That the City of Hamilton contribute a maximum of $8,000. towards the cost of hosting the 1994 Municipal Law Enforcement Officers' Training Seminar and Annual Meeting to be held in Hamilton on 1994 September 11 - 15; and,

    (b) That this expenditure be charged to the Hosting of Conferences with Municipal Subject Content Account No. CH 55307 80040.

25. That the Lease Agreement between the City and the Parking Authority with respect to the office and workshop space it occupies at the underground parking garage beneath Commonwealth Square, be cancelled effective 1993 January 1, since the Parking Authority by Council Resolution is now totally responsible for the entire operation of the garage including repairs and maintenance, and the Parking Authority basically acts as an owner.

26. That as referred to in Section 19 of the Twelfth Report of the Parks and Recreation Committee for 1994, the cost to replace the City-owned tents estimated at $8,000. be charged to the Unclassified Account Centre No. CH 24201.

27. That the Memorandum of Agreement dated 1994 June 22, as settlement of a Joint Job Evaluation Programme between the Corporation of the City of Hamilton and C.U.P.E. Local 1041 be approved and implemented in accordance with the terms therein.

28. That the Memorandum of Agreement between the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association (H.P.F.F.A.) Local 288, dated 1994 June 15, be approved and implemented in accordance with the terms therein.

29. (a) That the City agree to contribute $100,000. toward resolution of the claims of Susan Parkes et.al in Ontario Court (General Division) Action #1983/85, said sum representing the City's deductible on its Automobile Insurance Policy at the applicable time; and,

    (b) That the Plaintiffs be required to provide a Full and Final Release in a form satisfactory to the City Solicitor; and,

    (c) That Ontario Court (General Division) Action #1983/85 be dismissed as against the City of Hamilton without costs.

30. That leave be granted to introduce the following Bills:

    (a) D-23 A By-law to Authorize 1994 Debenture Projects and Amounts.

    (b) D-24 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

31. (a) That a Bingo Hall Review Committee, comprised of three members of City Council, be appointed for the purpose of reviewing and considering all applications for the establishment of new bingo halls and the upgrading or relocating of existing bingo halls in the City of Hamilton for recommendation to City Council, pursuant to the new Provincial Criteria and Procedures for Bingo Halls.

(b) That Alderman T. Cooke, D. Drury and D. Wilson be appointed members of the Committee for the remainder of the term of Council. **ADDED.**

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Charlene Touzel
Acting Secretary
1994 July 21

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Scott Abbott	I	Forester III (D-12)	Public Works	Replacing Mr. R. Parsik - promoted, April 30/94	$35,322.56	June 27/94
Mr. Angelo Amore	I	Traffic Signs & Markings Specialists (11-E)	Traffic	Replacing Mr. P. Dubord - absent with permission	$29,714.88 to $32,754.28	May 11/94
Mr. Edgardo Andaya	I	Truck Driver (D-13A)	Public Works	Replacing Mr. A. Rochead - promoted, May 02/94	$35,686.56	June 06/94
Mr. Mark Andrechek	I	Rink Attendant I (D-16)	Culture & Recreation	Replacing Mr. F. LaLonde - retired, June 30/94	$36,780.64	June 20/94
Ms. Joyanne Beckett	E	Customer Service Rep/ Plan Examiner (21-D)	Building	Replacing Ms. Z. Kristie - promoted, May 01/94	$37,883.04 to $43,825.60	June 13/94
Ms. Sara Bradley	E	Customer Service Rep/ Plan Examiner (21-D)	Building	Additional Staff Council Approved February 11/94	$37,883.04 to $43,825.60	June 13/94

Prepared July 14/94

Status

Internal - I
External - E

Appendix "A" referred to in Section 11 of the TWELFTH Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Patrick Fournier	I	Truck Driver (D-13)	Public Works	Replacing Mr. J. Zizek - transferred, May 02/94	$35,686.56	June 13/94
Mr. Roland Gosselin	I	Truck Driver (D-13)	Public Works	Replacing Mr. J. Wotta - transferred, May 02/94	$35,686.56	June 13/94
Mr. Joel Luke	I	Gardener III (D-7)	Public Works	Returning to former position	$33,496.32	May 30/94
Mr. Lawrence Lupton	I	Signs & Markings Specialist (11-C)	Traffic	Replacing Mr. R. Jones - promoted, March 01/94	$28,956.20 to $31,989.88	June 20/94
Ms. Marianne Lyon	E	Building Inspector (D-15A)	Building	Replacing Mr. J. Walker - deceased, Jan. 16/92	$42,280.16 to $48,626.76	June 13/94
Mr. Randy Manuel	I	Gardener I (D-17)	Public Works	Replacing Mr. F. Giannini - returning to former position	$37,146.72	May 30/94
Ms. Jacqueline Maxwell	I	Parking Control Officer (13-I)	Traffic	Replacing Ms. Melissa Eberhardt - promoted, July 19/93	$32,560.32 to $37,396.32	May 23/94

Prepared July 14/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Ms. Erin McClintock	E	Customer Service Rep/ Plan Examiner (21-D)	Building	Replacing Mr. R. Kuipers - promoted, April 01/94	$37,883.04 to $43,825.60	June 13/94
Mr. Harold Mestekemper	I	Sanitation Worker 2-Man Crew (D15-G)	Public Works	Conversion to 2-Man Crew - Approved by Committee of the Whole, Feb. 11/94	$36,670.40	May 30/94
Ms. Alison Orr	E	Building Inspector (25-A)	Building	Replacing Mr. David Gibson - retired, Dec. 31/93	$42,280.16 to $48,626.76	June 13/94
Mr. Karl Riimand	I	Gardener I (D-17)	Public Works	Replacing Mr. L. Cialini - promoted, May 16/94	$37,146.72	June 13/94
Mr. Robert Taylor	I	Truck Driver (D-13)	Public Works	Replacing Mr. D. Hitzroth - promoted, May 02/94	$35,686.56	June 13/94

Prepared July 14/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Brian Vance	I	Truck Driver (D-13)	Public Works	Replacing Mr. D. Thomas - transferred, May 09/94	$35,686.56	June 13/94
Mr. Tien Vuong	I	House Plan Examiner (19-A)	Building	Replacing Mr. F. Genovese - promoted, April 01/94	$36,392.72 to $42,130.92	May 31/94
Mr. Don Williams	I	Fire Safety Officer (C7A)	Fire	Replacing Mr. F. Biancucci - promoted, May 08/94	$57,934.32	June 01/94

Prepared July 14/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Marcel Bellehumeur	Lead Hand Welder	Public Works	Retired (Early)	27 years, 1 month	June 30/94
Mr. Edward Ciesielski	Supervisor Stores	Treasury	Retired (Early)	36 years	June 30/94
Mr. Peter Fidanza	Labourer	Public Works	Retired	15 years, 2 months	June 30/94
Mr. Steven Fish	Roller Operator	Public Works	Retired (Early)	22 years	June 30/94
Mr. Sam Gentile	Lead Hand/Truck Driver	Public Works	Retired (Early)	24 years	June 30/94
Mr. Frederick LaLonde	Rick Attendant I	Culture & Recreation	Retired (Early)	28 years, 10 months	June 30/94
Mr. Anton Paver	Labourer	Public Works	Retired (Early)	32 years, 1 month	June 30/94
Mr. Matteo Sassanelli	Concrete Finisher	Public Works	Retired (Early)	2 years, 11 months	April 29/94
Mr. Richard Seager	Assistant Supervisor Taxation-Realty	Treasury	Retired (Early)	33 years, 6 months	June 30/94
Mr. Dave Smith	Traffic Checker	Traffic	Terminated	20 years	May 25/94
Mr. Gary Vickers	Labourer	Public Works	Retired (Early)	25 years, 10 months	June 30/94

Prepared July 14/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FOURTH** Report for 1994 and respectfully recommends:

1. That the Tow Truck Driver Licence Application of Byron E. Daniel, 6 East 25th Street, Hamilton, be denied.

   Confidential background information provided to members of City Council under separate cover.

Respectfully Submitted,

ALDERMAN T. COOKE, CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary

1994 July 13

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Mayor presents his **FIFTH** Report for 1994 and respectfully recommends:

1. (a) That the names of the Mayor's Race Relations Committee and Mayor's Race Relations Advisory Council be changed to the Mayor's Committee Against Racism and Discrimination and the Mayor's Advisory Council Against Racism and Discrimination, in order to use more appropriate terminology and to reflect the terminology currently in use by the Provincial Government; and,

   (b) That this name change take effect at the end of the present term of City Council.

RESPECTFULLY SUBMITTED,

ROBERT M. MORROW
MAYOR

Stella Glover
Secretary
1994 June 27

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URBAN MUNICIPAL

SEP 30 1994

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1994 September 27
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

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Father Jozeph Smal, St. Cyril & Methodius Slovak Roman Catholic Church led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Richard Freedman who was the logo contest winner for the Hamilton Sesquicentennial Committee.

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Mayor R. M. Morrow presented a Retirement Certificate to Robert Linger who was employed by the Department of Public Works and retired after 23 years of Service.

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

(a) "Child Abuse Prevention Month"
(b) "Ontario Home Week" - September 25 - October 1
(c) "Lupus Awareness Month" - Month of October
(d) "Teacher Recognition Day" - October 5
(e) "Celiac Awareness Week" - October 2 - 8

ADOPTION OF MINUTES

The minutes of the meeting held 1994 August 30 were adopted as circulated.

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Licensing Committee, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Kiss in the chair.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

Re: Cost sharing arrangements for the clean out of private sewer laterals affected by City tree roots.

It was moved by Alderman Merling and seconded by Alderman Agro that Rule No. 8 of Procedural By-law No. 82-203 be invoked for this meeting of Council in order to permit consideration of a resolution respecting the City's current cost sharing arrangements for the clean out of private sewer laterals affected by City tree roots. **CARRIED.**

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Re: Cost sharing arrangements for the clean out of private sewer laterals affected by City tree roots.

It was moved by Alderman Merling and seconded by Alderman Agro that the Twelfth Report of the Transport and Environment Committee for 1994 be amended by adding Section 59 as follows:

59. That the Transport and Environment Committee be requested to review the City's current cost sharing arrangements for the clean out of private sewer laterals affected by City tree roots, as per the Sewer - Street Tree Policy adopted by City Council on 1991 October 29.
CARRIED.

PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT

Section 2(a)(i) Re: Selling of alcoholic beverages - Molson Restaurant Three-Pitch League - Globe Park

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

Section 5 Re: Challengers Organization - rental fee - Mohawk Sports Park

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 2(a)(viii) Re: Bill 163 - Definition of "Minor Variance"

It was moved by Alderman Eisenberger and seconded by Alderman D'Amico that the following be added as Section 2 (a)(viii):

2. (a) (viii) That as part of the changes to the Planning Act, the Province provide a definition of what is a "minor variance".

Recorded vote.

YEAS: Aldermen Kiss, Agro, Eisenberger, D'Amico. -4.

NAYS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson. -11. **LOST.**

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Section 3 Re: Province of Ontario reconsider decision not to fund the Ontario Home Renewal Programme - Disabled.

It was moved by Alderman Jackson and seconded by Alderman Merling that Section 3 of the Thirteenth Report of the Planning and Development Committee for 1994 be amended by adding the following in the first line following "the Premier of Ontario"; "and the six local M.P.P.'s."

CARRIED.

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Section 20 Re: Lot Grading Control with respect to land severance applications creating one, two and three lots.

It was moved by Alderman D'Amico and seconded by Alderman Ross that Rule No. 8 of Procedural By-law No. 82-203 be invoked for this meeting of Council in order to consider a resolution respecting Lot Grading Control with respect to Land Severance Applications Creating One, Two and Three Lots. **CARRIED.**

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Section 20 Re: Lot Grading Control with respect to land severance applications creating one, two and three lots.

It was moved by Alderman D'Amico and seconded by Alderman Ross that the Thirteenth Report of the Planning and Development Committee for 1994 be amended by adding Section 20 as follows:

"20. On land severance applications for one, two, or three lot developments,

(a) That the Land Division Committee be informed, that the City of Hamilton requires, as a condition of approval of such applications,

(i) That the applicant (prior to the granting of Consent to a severance) enter into and register on title to the land being developed a Lot Grading Agreement with the City of Hamilton satisfactory to the Building Commissioner, incorporating the following requirements:

(aa) Applicant's engineer to prepare satisfactory to the Building Commissioner and have attached to the Agreement, a detailed grading plan of each separate parcel;

(bb) Applicant's payment of the following fees:
- for grading inspection, a fee of $153. per parcel;
- administration fee per agreement $350.;
- a refundable security of $2,000. per parcel, to be refunded when lot grading certified completed;

(cc) Agreement to give City of Hamilton an easement to enter the land to complete the approved grading;

(dd) 1) Grading to be completed by applicant within six months of insulation inspection date or City of Hamilton has right to complete the grading.

2) Security deposit to be released and Lot Grading Agreement discharged once the grading certification has been received and accepted by Building Commissioner.

(ii) That the applicant's lawyer prepare and register the Lot Grading Agreement incorporating the City of Hamilton's requirements, and the applicant's lawyer shall certify land ownership, registration of the Agreement (and its easement) to the City;

(iii) That the said Lot Grading Agreement be in addition to any other conditions of the City of Hamilton, its Roads, Planning and other departments submitted to the Land Division Committee.

(b) Upon notification from the Building Commissioner that the City has received from the applicant's engineer confirmation that the grading, as approved, has been installed,

(i) The City Clerk is authorized to execute a discharge of Lot Grading Agreement,

(ii) That the balance of the security received by the City not required for enforcement, be refunded to the applicant without interest.

(c) That the Building Commissioner be directed to submit with the Building Department's annual adjustments to its user fee schedule for Council approval, adjustments, if required, to the fees and security provided for herein.

(d) That the Building Department staff complement be increased by one Customer Service Representative. This position to remain vacant until revenues are sufficient to fund the costs."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Drury, Charters, Merling, Anderson. -4. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - THIRTEENTH REPORT

Section 3 Re: Safe City Sub-Committee

It was moved by Alderman Merling and seconded by Alderman Copps that Section 3 of the Fourteenth Report of the Finance and Administration Committee be referred back with instructions that the Chief Administrative Officer meet with the Status of Women Sub-Committee and the Hamilton Safety Council.

Recorded vote.

YEAS: Aldermen McCulloch, Morelli, Copps, Merling, Anderson, Ross. -6.

NAYS: Mayor Morrow, Aldermen Kiss, Agro, Wilson, Agostino, Charters, Jackson, D'Amico. -8. **LOST.**

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Section 3 Re: Safe City Sub-Committee

It was moved by Alderman Ross and seconded by Alderman Jackson that Section 3 of the Fourteenth Report of the Finance and Administration Committee for 1994 be amended by making section 3, Item "(a)" and adding section "(b)" as follows:

"That the Chief Administrative Officer be instructed to meet with the Status of Women Sub-Committee and the Hamilton Safety Council to clarify any potential overlap in the Terms of Reference of the Safe City Sub-Committee." **CARRIED.**

Section 13 Re: Use of funds - Consulting assistance in restructuring

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 20 Re: Bell Canada - location of pay phones

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson is an employee of Bell Canada.

CITY OF HAMILTON LICENSING COMMITTEE - SIXTH REPORT

NOMINATING COMMITTEE - THIRD REPORT

ACTING MAYOR FOR THE MONTH OF OCTOBER, 1994

It was moved by Alderman Cooke and seconded by Alderman Agro that Alderman D. Wilson be appointed Acting Mayor for the month of October, 1994. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Agro that the following Bills be now read a first time:

A-61, A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-47, C-48, C-49.
D-26, D-27, D-28.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico. -15.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that Council move into Committee of the Whole to consider the following Bills, with Alderman Kiss in the chair. (second reading).

A-61, A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-47, C-48, C-49.
D-26, D-27, D-28.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico. -15.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Agro that the Report of the Committee of the Whole on the following Bills, be adopted:

A-61, A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-47, C-48, C-49.
D-26, D-27, D-28.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico. -15.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Agro that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-61, A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-47, C-48, C-49.
D-26, D-27, D-28.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico. -15.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:45 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell
1994 September 27

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents it **TWELFTH** Report for 1994 and respectfully recommends:

1. That City Council enact the By-Law for the sale of a portion of an alley north of McAnulty Boulevard and west of Kenilworth Avenue North, designated as Part 1, on Plan 62R-11499.

2. That a three way stop control be implemented on a nine month trial basis at the intersection of Greenhill Avenue and Summercrest Drive and that City Traffic By-law 89-72 be amended accordingly.

3. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on both sides of Munn Street between Upper Sherman Avenue and East 31st Street, be removed, and that the City Traffic By-law 89-72 be amended accordingly.

4. (a) That the existing "Permit Parking" regulation on the south side of Kingsway Drive which commences at John Street South and extends to a point 180 feet easterly therefrom be extended such that the regulation commences at John Street South and extends to a point 225 feet easterly therefrom; and

   (b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first seven eligible applicants residing in the block to a maximum of seven parking permits; and

   (c) That the City Traffic By-law 89-72 be amended accordingly.

5. (a) That in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the north side of Francis Street commencing at a point 114 feet west of Cheever Street and extending to a point 24 feet westerly therefrom and on the south side of Francis Street commencing at a point 115 feet west of Cheever Street and extending to a point 21 feet westerly therefrom; and

   (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Thomas Raczynski, 67 Francis Street; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

6. (a) That a "Permit Parking" regulation be implemented on the east side of Fullerton Avenue commencing at a point 212 feet south of Princess Street and extending to a point 25 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Catherine Hammond, No. 56 Fullerton Avenue; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

7. That the entry in the City Traffic By-law 89-72 allowing for the implementation of a "Permit Parking" regulation on the east side of William Street from a point 63 feet north of Barton Street East to a point 24 feet northerly therefrom be rescinded.

8. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first twelve applicants residing in the apartment building at No. 22-24 Robinson Street.

9. That a "No Parking" regulation be implemented on the east side of Mountwood Avenue commencing at a point 54 feet south of Louisa Avenue and extending to a point 73 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

10. (a) That a "Permit Parking" regulation be implemented on the east side of Fullerton Avenue commencing at a point 151 feet south of Princess Street and extending to a point 19 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Ferrell, 62 Fullerton Avenue.

11. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the west side of Dow Avenue between Main Street West and Paul Street be switched from the west side of the street to the east side and that the City Traffic By-law 89-72 be amended accordingly.

12. That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Strachan Street East between John Street North and a point 141 feet westerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

13. That a "No Stopping" regulation be implemented on the south side of King William Street between Catharine Street North and John Street North and that the City Traffic By-law 89-72 be amended accordingly.

14. That the entry in the City Traffic By-law 89-72 allowing for the implementation of a "Permit Parking" regulation on the south side of Forest Avenue from a point 128 feet west of John Street South to a point 23 feet westerly therefrom be rescinded.

15. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first six eligible applicants residing in the apartment building at No. 4 Forest Avenue.

16. That the existing "Permit Parking" regulation on the north side of Crockett Street commencing at a point 59 feet east of Upper Wentworth Street and extending to a point 26 feet easterly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

17. (a) That the existing "Alternate Side Parking" regulation on Emerald Street North between Burton Street and Shaw Street be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side; and

    (b) That the Director of Traffic Services be authorized to issue one parking permit per residence to Nos. 362, 364, 368, 372, 374 and 376 Emerald Street North and two parking permits to No. 366 Emerald Street North (to a maximum of eight) on a first come first served basis; and

    (c) That the City Traffic By-law 89-72 be amended accordingly.

18. That the existing "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on both sides of Crockett Street between East 34th and East 35th Streets be replaced by a "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation and that the City Traffic By-law 89-72 be amended accordingly.

19. (a) That the existing "Permit Parking" regulation on the east side of Riverdale Drive which commences at Glenburn Court and extends to a point 275 feet southerly therefrom, be shortened, such that the regulation commences at Glenburn Court and extends to a point 185 feet southerly therefrom; and,

(b) That the existing "No Parking" regulation on the east side of Riverdale Drive between Queenston Road and a point 294 feet northerly be removed; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

20. That "No Stopping" corner clearances be implemented on the north side of Peter Street commencing at a point 47 feet west of Ray Street North and extending to a point 50 feet east of Ray Street North and that the City Traffic By-law 89-72 be amended accordingly.

21. That the existing parking meter on the south side of Roxborough Avenue, immediately west of Kenilworth Avenue be removed and that the City Traffic By-law 89-72 be amended accordingly.

22. (a) That the existing residential boulevard parking agreement registered as Instrument No. 123573 to the property at No. 11 Jones Street be discharged, at the property owner's expense; and

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

23. (a) That the existing residential boulevard parking agreement registered as Instrument No. 118390 to the property at No. 129 Park Street North be discharged, at the property owner's expense; and

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

24. (a) That a "Permit Parking" regulation be implemented on the north side of Stanley Avenue commencing at a point 527 feet east of Dundurn Street South and extending to a point 25 feet easterly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

(b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Cathleen Haywood, 168 Stanley Avenue.

25. (a) That the existing "Permit Parking" regulation on the west side of Leeming Street commencing at a point 66 feet south of Wright Avenue and extending to a point 18 feet southerly therefrom, be removed; and

(b) That a "Permit Parking" regulation be implemented on the south side of Maplewood Avenue commencing at a point 39 feet west of Cedar Avenue and extending to a point 20 feet westerly therefrom; and

(c) That the Director of Traffic Services be authorized to re-issue one parking permit to Ms. Judy Simpkins, 170 Maplewood Avenue; and

(d) That the City Traffic By-law 89-72 be amended accordingly.

26. (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 628 feet south of Barton Street East and extending to a point 23 feet southerly therefrom; and

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Wendy Archambault, 281 Paling Avenue; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

27. That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 11:00 p.m., seven days a week" regulation on the west side of Wood Street West commencing at a point 100 feet south of Burlington Street West and extending to a point 25 feet southerly therefrom be removed and that the City Traffic By-law be amended accordingly.

28. That the existing "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the east side of James Street North commencing at a point 124 feet north of Macauley Street East and extending to a point 25 feet northerly therefrom be removed and that the City Traffic By-law be amended accordingly.

29. That a "No Stopping" regulation be implemented on the west side of Montmorency Drive, commencing at Haskins Court and extending to a point 85 feet northerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

30. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of East 24th Street commencing at Crockett Street and extending to the south property line of No. 101 on the east side and to the south property line of No. 102 on the west side, and that the City Traffic By-law 89-72 be amended accordingly.

31. That the existing eastbound yield sign at the intersection of Juanita Drive and Brenlyn Court be replaced with a stop sign and that the City Traffic By-law 89-72 be amended accordingly.

32. (a) That northbound traffic on Maitland Avenue be required to stop for eastbound and westbound traffic on June Street; and

(b) That westbound traffic on June Street be required to stop for northbound and southbound traffic on Manning Avenue; and

(c) That the City Traffic By-law 89-72 be amended accordingly.

33. That northbound traffic on Hoover Crescent (west leg) be required to stop for eastbound and westbound traffic on Welbourne Drive and that the City Traffic By-law 89-72 be amended accordingly.

34. That eastbound traffic on Victor Boulevard (north and south legs) be required to stop for northbound and southbound traffic on Ridge Street and that the City Traffic By-law 89-72 be amended accordingly.

35. That in accordance with the request by the Hamilton Street Railway, the following bus stop be approved:

Route #3 Cannon

Add - Southbound - MacNab Street South (East Leg), west side, 157 feet south of King Street West (M/B) - recovery point.

36. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following person be appointed as Parking Control Officers:

Roy Rutherford
Gordon Peddle

(b) That the following appointment as Parking Control Officers be repealed:

Frank Tubbs
Peter Rieger

37. (a) That the Barnstown Neighbourhood be designated as a Neighbourhood Watch Area; and,

(b) That Neighbourhood Watch signs for the Barnstown Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,

(c) That the necessary funds be charged to Account No. CH-55301-75030 (Neighbourhood Watch Program).

38. That purchase orders be issued to 1997 April 30, for the rental of labour and equipment for snow removal, in accordance with the specifications issued by the Manager of Purchasing and Vendor's tenders, attached hereto as Appendix "A", and that this expenditure be financed through the Hired Equipment Clearing Account No. CH56602 60999.

39. That City Council enact the By-law to authorize construction of local improvements of an independent concrete sidewalk on the west side of Upper James Street from Rymal Road to Christopher Drive.

40. That City Council enact the By-law to authorize construction of local improvements of concrete curbs, sidewalks and finished roadway on Ferguson Avenue between Barton and Cannon Streets.

41. That City Council enact the By-law to authorize construction of local improvements of a combined walk and curb on the south side of Brock Street from John Street to approximately 24m east of Hughson Street North.

42. That a purchase order be issued to Sifto Canada, Mississauga, for the supply and delivery of Sodium Chloride Coarse Crushed as and when required by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Stock Materials Account No. CH56197 60999, as follows:

Delivered Price	Picked Up Price
$34.95 per tonne	$33.00 per tonne, plus applicable taxes

43. (a) That the following City land be incorporated into the street in order to provide access from land known as 108 Annabelle Street, to Annabelle Street:

Annabelle Street	Block E	Registered Plan 823

(b) That the By-Law to carry out the incorporation of the said land into the foregoing street be enacted by Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-Law.

44. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of S. Stone, agent for Neighbourhood Watch #6605, to hold a street party on Dalkeith Street between Rosslyn Avenue and Ottawa Street, on Sunday, 1994 September 4, from 3:00 p.m. to 8:00 p.m., subject to the following conditions:

(a) That prior approval of the Chief of Police or his/her designate be received, and that such permits or authorization as may be required by the Chief of Police or his/her designate be obtained; and,

(b) That the standard liability provision that the applicant provide proof of $2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss be waived and the City of Hamilton provide this standard insurance requirement; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

45. That the application of I. M. Higgins, owner of 245 King William Street, to erect and maintain an overhead sign measuring 0.55m x 0.10m, encroaching onto the King William Street road allowance, be approved during the pleasure of Council, provided:

(a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the applicant pay a first year fee of $252. and an annual fee of $20.

46. That the application to retain inadvertent encroachments at 107 Melbourne Street and 143 Emerson Street be approved during the pleasure of Council provided:

(a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

(c) That the first year fees and subsequent annual fees outlined in Schedule "B" attached hereto, be set for the encroachments.

47. That the application of the India-Canada Society to display a promotional banner across Main Street West in front of City Hall from 1994 September 26 to 1994 October 2, with the message "Mahatma Gandhi - Non Violence and Peace - Anniversary Celebration - October 2, 1994", be approved.

48. (a) That the City Solicitor be authorized to draft amendments to the Noise Control By-law No. 79-292 to incorporate the Provincial Standard on air conditioning devices NPC-216; and,

(b) That By-law No. 94-080 be repealed; and,

(c) That the appropriate By-law to amend the Noise Control By-law No. 79-292 receive appropriate reading.

49. (a) That an Offer to Purchase, executed by Regional Officials, on 1994 August 16, and scheduled to close on or before 1994 November 28, for the transfer to the Region of a parcel of land forming part of the property known as 240 Wentworth Street South, being composed of part of Lot 11, Concession 3, in the geographic Township of Barton, being triangular in shape, shown as Part 1 on Plan 62R-12659, containing 33.2 square metres (357.37 square feet) more or less, be approved and completed, at no cost; and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

50. (a) That the existing Lease Agreement between the City of Hamilton and William and Sarah Goddard be terminated by the City; and,

(b) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease to inform the tenants that the Agreement is hereby terminated and the Tenants are required to remove their garage.

51. (a) That the construction of an independent curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East proceed in accordance with Schedule "C" attached hereto, at an estimated cost of $56,100., funded from the Local Improvement Projects; and,

(b) That the Senior Director of Roads be authorized to construct these works once all of the necessary approvals have been received; and,

(c) That the Finance and Administration Committee be requested to recommend a source of funds for the $10,000. increase in the City's share for this capital project; and,

(d) That the landscape component of this proposal ($74,000.) be referred to the Parks and Recreation Committee for consideration and possible inclusion in the 1995 to 2001 Capital Budget recognizing that the major portion of the subject lands are located on the Upper Kenilworth Avenue Road Allowance.

52. (a) That the Finance and Administration Committee recommend the source of funding for the net additional financing required in the amount of $1,996.39 for the six projects shown in Schedule "D" attached hereto; and,

(b) That the City Solicitor be directed to amend the applicable By-laws for these projects.

53. That the Regional Municipality of Hamilton-Wentworth be advised that the City of Hamilton will participate in the White Goods Collection and CFC Removal Demonstration Project commencing in 1994.

54. (a) That an Option to Purchase, to be executed by the Wentworth Condominium Corporation No. 79, and scheduled to close on or before 1994 November 25, for the lands being composed of part of the road allowance between Concession 6 and 7 in the geographic Township of Barton, more particularly described as being, firstly, Parts 1 and 2 on Plan 62R-3954 comprising 0.028 acres (113.31 square metres) more or less, and 0.001 acres (4.047 square metres) more or less, respectively; secondly, a parcel flanking along the southerly boundary of said Parts 1 and 2 having a perpendicular width of 5.0 feet (1.524 metres) more or less, and comprising an approximate area of 0.029 acres (118 square metres); the said lands have a frontage of 10.0 feet (3.048 metres) more or less, along the westerly limit of Upper Paradise Road, and an approximate frontage of 11.84 feet (3.6 metres) along the easterly flankage of Fonthill Road, with the exact area to be determined by a survey to be prepared by the owners, acceptable to the Regional Surveyor, be approved and completed, and the purchase price of $600. be charged to Account No. CH 5X303 00102 (Reserve for Property Purchases); and,

(b) That as consideration in the amount of $2. has been paid to the owner pursuant to the agreement, this amount be deducted from the purchase price; and,

(c) That upon completion of the acquisition, the Senior Director of Roads be directed to prepare the appropriate by-law laying out the subject lands as a public walkway; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

55. That the Commissioner of Transportation/Environmental Services be directed to proceed with the implementation of the closure of the walkway located between 300 and 304 St. Andrews Drive.

56. That Item 23(b) of the 9-94 Report to the Transport and Environment Committee, approved by Council on 1994 June 28, be deleted, and replaced with the following:

That the application of the Westdale B.I.A. to temporarily close King Street West between North Oval and Cline Avenue from 6:00 p.m. on Thursday, 1994 September 29, to 11:00 p.m. on Saturday, 1994 October 1, be approved, subject to the following conditions:

(a) That the prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,

(b) That the applicant provide proof of $3,000,000. Public Liability Insurance naming the City and Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That temporary road closure signs be installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,

(f) That the applicant ensure that clean-up operations are carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the applicant; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

57. That a "Permit Parking" regulation be implemented on the west side of Railway Street commencing at a point 156 feet north of Cannon Street West and extending to the northerly end of the street and that the City Traffic By-law 89-72 be amended accordingly.

58. That leave be granted to introduce the following Bills:

(a) A-61 A By-law for the Sale of a Portion of an Alley adjacent to 433 Kenilworth Avenue North closed by Judge's Order No. 165968, Part 1, on Plan 62R-11499.

(b) A-62 A By-law to Amend By-law No. 89-72 to Regulate Traffic.

(c) A-63 A By-law to Amend By-law No. 89-72 to Regulate Traffic.

(d) A-64 A By-law to Authorize:

(i) The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the west side of Upper James Street from Rymal Road to Christopher Drive, as described in Schedule "A"; and,

(ii) The special assessment to pay a portion of the cost of the works by the abutting owners; and,

(iii) The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Transportation/Environmental Services.

(e) A-65 A By-law to Authorize:

(i) The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete curbs, sidewalks and finished roadway on Ferguson Avenue between Barton and Cannon Streets, described in Schedule "A"; and,

(ii) The special assessment to pay a portion of the cost of the works by the abutting owners; and,

(iii) The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Transportation/Environmental Services.

(f) A-66 A By-law to Authorize:

(i) The construction as a local improvement a combined walk and curb on the south side of Brock Street from John Street North to approximately 24m east of Hughson Street North, (as described in Schedule "A") upon the petition of the abutting owners pursuant to Section 11 of the Local Improvement Act; and,

(ii) The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works; and,

(iii) The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Transportation/Environmental Services.

(g) A-67 A By-law to Incorporate Block E, Registered Plan 823 into Annabelle Street.

(h) A-68 A By-law to Amend By-law No. 79-292 to Control Noise.

59. That the Transport and Environment Committee be requested to review the City's current cost sharing arrangements for the clean out of private sewer laterals affected by City tree roots, as per the Sewer - Street Tree Policy adopted by City Council on 1991 October 29.

ADDED.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRPERSON
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary

1994 September 19

Appendix "A" referred to in Section 38 of the **TWELFTH** Report of the Transport and Environment Committee for 1994.

1994 September 27

GRADERS - WING PLOW

Name	Address	Type	94-95	Rate 95-96	96-97
Adair Equipment	14 Frances, Stoney Creek 662-4195, 317-8494	Champion 67 Champion 72	$144.00	$148.00	$152.00
J. Chastney	71 Champlain, Hamilton 561-8240, 317-8433	Champion 69 Champion 75	$144.00	$148.00	$152.00
Danbill Equipment	58 Robson Crescent, Hamilton 388-9817	Champion 600	$144.00	$148.00	$152.00
Spar-Con. Construction Ltd.	4145 Trinity Church Road, RR#2, Binbrook (905) 692-5222	Champion 600 1975	$144.00	$148.00	$152.00
All Around Contracting Inc.	165 Sloayze Road, Hannon 692-4588, (cell) 317-3966, (fax) 692-9012	Champion 740	$144.00	$148.00	$152.00
1002538 Ontario Ltd. c/o Jasen Enterprises	65 Morley, Hamilton 545-4500, (fax) 545-4501	Champion 740	$144.00	$148.00	$152.00
Battaglia Construction	1650 Upper Ottawa, Hamilton 388-2760, 575-0842	Wabco 555C Wabco 555C	$144.00 $144.00	$148.00 $148.00	$152.00 $152.00
King Paving & Mat	3385 Harvester Road, Burlington 639-2993	Champion 1704 Champion 1706 Champion 1707	$120.00 $120.00 $120.00	$124.00 $124.00 $124.00	$128.00 $128.00 $128.00
N.R.G.	98 Chipman, Cambridge (416) 605-7502, (519) 658-8199	Wabco 660B Wabco 660B Wabco 666 Wabco 555	$140.00 $140.00 $140.00 $140.00	$144.00 $144.00 $144.00 $144.00	$148.00 $148.00 $148.00 $148.00
Blacktop Enterprises Ltd.	93 Main Street, Hagersville (905) 768-3366, 528-1212	Champion 602T Champion 562T	$144.00 $144.00	$148.00 $148.00	$152.00 $152.00

Cardi Construction Ltd.	24 Garden Ave. Stoney Creek 560-3122, 560-5803	Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00
		Ford Col. - 28cuyd.	$48.00	$50.00	$52.00

*Additional

TRUCKS - LOADERS

Name	Address	Type	Rates		
J. M. Coucci	38 Cherryridge Close, Hamilton, 561-6119	580K - 1 1/2cuyd.	$55.00	$57.00	$59.00
Roma Construction	2 Hewlston Rd., Stoney Creek, 643-4487	Case 580 - 1/2cuyd.	$55.00	$57.00	$59.00
Dignore	120 Second Rd. W., Stoney Creek, 578-9988	580 E - 1 1/2cuyd.	$55.00	$57.00	$59.00
		John Deer 310C	$55.00	$57.00	$59.00

*Additional

SIDEWALK EQUIPMENT - BOBCAT/BOMBADIERS

Name	Address	Type	Rates		
Ottavio Ciccarelli & Son	807 Hwy. 53, Ancaster 648-5178	Bobcat - 5'	$48.00	$50.00	$52.00
		Bobcat - 5'	$48.00	$50.00	$52.00
		Bobcat - 5'	$48.00	$50.00	$52.00
Chlan's	55 Amberwood, Stoney Creek, 578-5586	Bobcat - 5'	$48.00	$50.00	$52.00
		Bobcat - 4'	$48.00	$50.00	$52.00
Battlefield Bobcat Service	367 Hemlocke Ave, Stoney Creek, 662-3360, 662-8015	Bobcat - 5'	$48.00	$50.00	$52.00
		Bobcat - 5'	$48.00	$50.00	$52.00
Artek 617180 Ontario Ltd.	250 Kemp Rd. W., Grimsby, 945-3639	Thomas - 5'	$48.00	$50.00	$52.00
		Thomas - 5'	$48.00	$50.00	$52.00
		Thomas - 5'	$48.00	$50.00	$52.00
Roma Construction	2 Hewlston Rd. Stoney Creek, 643-4487	Bobcat - 4'	$48.00	$50.00	$52.00
Greco Bobcat		Thomas - 133	$48.00	$50.00	$52.00
		Melrose - 743	$48.00	$50.00	$52.00
Tony Paul	6 Hewitson Rd. Stoney Creek, 643-1735	Bobcat - 4'	$48.00	$50.00	$52.00
		Bobcat - 4'	$48.00	$50.00	$52.00
		Bobcat - 4'	$48.00	$50.00	$52.00
Green Mountain Property Maintenance	34 Arbutus Stoney Creek, 560-4002	Case 1860 - 4'	$44.00	$45.00	$45.00
		Bobcat 743 - 4'	$47.00	$47.00	$49.00
E. Woytkiw Haulage	2227 Rymal Road East, Stoney Creek, 575-4100, 578-9917	(3)Bobcats- 54" to 60"	$48.00	$50.00	$52.00
Hollson Const.	40 Hildegard, Hamilton 561-0356	Bobcat - 4'	$48.00	$50.00	$52.00

Appendix "B" referred to in Section 46 of the **TWELFTH** Report of the Transport and Environment Committee for 1994.

Location	Owner	Type of Encroachment	Solicitor/Agent	First Year/Annual	File Number
107 Melbourne St.	C. & T. Trites	Wood steps measuring 0.2m x 5.1m	Michael Lypka Barrister & Solicitor 20 Hughson Street S. Hamilton Ontario L8N 2A1	$158/20.00	T103-50-1098
143 Emerson	D. Anderson	Portion of Building measuring 0.05m x 10.48m onto Royal Avenue		$158/20.00	T103-50-1117

Appendix "C" referred to in Section 51 of the **TWELFTH** Report of the Transport and Environment Committee for 1994

1994 September 27

Appendix "D" referred
to in Section 52 of the
TWELFTH Report of the
Transport and Environment
Committee for 1994.

*** SUMMARY OF PROJECTS WHICH HAVE EXCEEDED AUTHORIZED COST**

					Authorized Cost (13)	Actual Cost (14)	Excess Expenditure over Estimate (15)	as % of Authorized Cost (16)	Construction By--Law (if applicable) (17)
	Walk & Combined Curb								
529223001	Carling Street	south	Merlin Street	90m e'ly	17,500.00	17,704.51	(204.51)	1.17%	82--230
	Walk Only								
529024007	Centennial Parkway	west	Delaware Drive	Barton Street	69,478.00	70,870.58	(10,392.58)	17.18%	81--056
529124001	Nash Road	east	Barton Street	24m s'ly	3,200.00	3,398.47	(198.47)	6.14%	n/a
529124004	Centennial Parkway	east	City Limits	Vineyard Road	23,750.00	27,145.39	(3,395.39)	14.30%	81--10
529124006	Concession Street	north	Belvidere Avenue	90m e'ly	11,900.00	11,947.11	(47.11)	0.40%	n/a
529124002	Upper Ottawa Street	both	Stone Church Road	Rymal Road	175,910.00	183,351.12	(7,441.12)	4.34%	82--013
							(21,677.18)		

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents it **FIFTEENTH** Report for 1994 and respectfully recommends:

1. (a) That approval as required by Section 32 of the Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation be granted to Cross Roads to host a contest of various motor cycles during the semi-annual "Show and Shine" at Delta Park on 1994, September 24.

   (b) That approval, as required by Section 5 (b) of the Parks By-law 77-221, be given to Hamilton Lacrosse Association to barbecue during their annual Awards Presentation and Picnic at Gage Park Bandshell on 1994, September 24 from 11:00 a.m. - 6:00 p.m.

   (c) That approval, as required by Section 10 (3a) of the Parks By-law 77-221, be given to C. Summerhayes Ministries to publicly preach and sing the Word of God in Gore Park from 4:00 p.m. - 10:00 p.m. on the following dates:

   September 17, October 1, 15, 22, 29,
   November 5, 13, 26 and December 17, 1994.

   (d) That the approvals for (a), (b) and (c) above be subject to the following terms and conditions:

   (i) That insurance, in the amount of $2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided.

   (a) That insurance, in the amount of $3 million, comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability and 30 days notice of cancellation, be provided by Cross Roads for the Show and Shine Motor Cycle Contest.

(ii) That the applicant assume responsibility for all labour-related costs as a result of this event (i.e. set up, clean-up, etc.)

(iii) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

(iv) That the event will be monitored by the Special Events/Festival Advisory Team, with a post event report back to Committee.

2. (a) That approval, as required by Section 5 (b) and Section 24 (1) of the Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation in approving the following:

(i) Molson Restaurant Three-Pitch League, and sell alcoholic beverages in conjunction with their championship baseball games scheduled at Globe Park on 1994, September 11.

(ii) Mountain Hamilton Youth Soccer Club Inc. to sell food and beverages in conjunction with the Festitalia Youth Soccer Tournament scheduled at Mohawk Sports Complex on 1994, September 10 and 11.

(b) That these approvals be subject to the following terms and conditions:

(i) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury and proof of $5 million Liquor Licence Liability Insurance be submitted, naming the Corporation of the City of Hamilton as co-insured with a cross liability endorsement.

(ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.).

(iii) That alcoholic beverages be served in a confined area of the Park upon receipt of approval of the Liquor Licence Board.

(iv) That Special Duty Officers be deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicants expense.

(v) That the concessionaire at Globe Park be contacted to make the necessary arrangements for the provision of food at that location.

Recorded vote on Section 2(a)(i)

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Jackson. -1. **CARRIED.**

3. (a) That approval as required by Section 5 (b) of the Parks By-law 77-221, be given to the Week of the Child Committee Inc. to barbecue during their annual Week of the Child Event in Gage Park on 1994, October 18 from 8:30 a.m. - 12:00 noon, subject to the following terms and conditions:

(i) That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted 30 days in advance, naming the City as co-insured with a cross liability endorsement.

(ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)

(iii) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

(b) That the event will be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

(c) The concessionaire stationed at the park be allowed to remain open throughout the festival.

4. That permission be granted to issue a complimentary family pass valued at $70. to the Hamilton Branch of The Canadian Red Cross Society for their fundraising event taking place on Saturday, 1994 November 12 at The Royal Canadian Legion Hall #163.

5. (a) That the rental fee for The Challengers organization to use the Mohawk Sports Park Track on 1994, October 1, be reduced from $231. to $34.65.

(b) That the rental fee for the 42nd Cubs and Scouts to use the Normanhurst Community Centre for the period of 1994, September to December be reduced from $15. per hour to $25. flat fee.

(c) That approval be given of the action of the Interim Director of Culture and Recreation in approving a reduced rental fee from $231. to $34.65 for the annual Terry Fox Run held at Mohawk Sports Park Track on 1994, September 18.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson -1. **CARRIED.**

6. That permission be granted to charge green fees on a buy two (2) get one (1) free basis for the Hamilton Santa Claus Parade Committee's golf tournament scheduled to be held at King's Forest Civic Golf Course on Thursday, 1994 October 6 in accordance with Council policy.

7. That approval, as required by Section 20 (1) of the Parks By-law 77-221, be given to Terry Veevers to operate carriage rides in conjunction with the Harvest Home Festival at Dundurn Castle on 1994, October 1 and 2, subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be submitted, naming the Corporation of the City of Hamilton as co-insured.

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.).

8. (a) That the licence agreement with Lloyd D. Jackson Square for the use of the mall space be extended to 1995 May 30 for the purpose of continuing to provide regular and special programmed events for the Recreational Awareness in the Square (R.A.Y.S.) Program for Youth.

(b) That approval be given to the Interim Director of Culture and Recreation to apply for a Jobs Ontario Community Action Program Grant to assist with the Recreation Awareness for Youth in the Square (R.A.Y.S.) program.

9. That approval, as required by Section 5 (b) of the Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation in approving the request for Canadian National Railway to barbecue in conjunction with their Annual Employee Fun Day Picnic being held at Globe Park on 1994, September 18th, subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

(b) That a working fire extinguisher is located at each barbecue unit ;and,

(c) That all food and beverages provided by Canadian National Railway be given away to the participants at the picnic; and,

(d) That the Canadian National Railway comply with all sections of the Parks By-law 77-221.

10. That approval, as required by Section 5 (b) of the Parks By-law 77-221, be given of the action taken by the Interim Director of Culture and Recreation in approving the request for S.T.A.R. of Hamilton Wentworth to barbecue in conjunction with their annual end of summer awards banquet being held at Hillcrest Park on 1994, September 25th, subject to the following terms and conditions:

(a) That proof of $2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton; and,

(b) That a working fire extinguisher is located at each barbecue unit ;and,

(c) That all food and beverages provided by S.T.A.R. of Hamilton Wentworth be given away to the participants at the banquet; and,

(d) That the S.T.A.R. of Hamilton Wentworth comply with all sections of the Parks By-law 77-221.

11. (a) That the City sublet 640 Beach Boulevard to the Regional Municipality of Hamilton-Wentworth for the installation of a sanitary sewer pumping station. The lease term is one year at a rent of $1. per annum to be credited Account No. CH 44104 31106 (Rentals/Fees Civic Properties Rented) and compliance with the terms and conditions set out in the existing lease between the City and the Hamilton Region Conservation Authority. The subject property is more particulary described as Lot 19, Plan 487, in the City of Hamilton; and,

(i) That this Lease be extended on an annual basis until such time as the overall transfer of Beach Strip properties takes place between the Authority and the City, at which time the Regional Municipality of Hamilton-Wentworth will purchase a permanent registered interest in the lands;

(b) That an Authority to Enter Agreement be entered into with the Region to allow the construction of a sewage pumping station on the property known as 640 Beach Boulevard, more particularly described as being in the City of Hamilton, known as Lot 19, Plan 487, commencing the day after Regional Officials execute the Agreement; and,

(c) That the City sublet 809 Beach Boulevard to the Regional Municipality of Hamilton-Wentworth for the installation of a sanitary sewer pumping station. The lease term is one year at a rent of $1. per annum to be credited Account No. CH 44104 31106 (Rentals/Fees Civic Properties Rented) and compliance with the terms and conditions set out in the existing lease between the City and the Hamilton Region Conservation Authority. The subject property is more particularly described as being in the City of Hamilton, known as part of Lot 45, Plan 452; and,

(i) That this lease be extended on an annual basis until such time as the overall transfer of Beach Strip properties takes place between the Authority and the City, at which time the Regional Municipality of Hamilton-Wentworth will purchase a permanent registered interest in the lands;

(d) That an Authority to Enter Agreement be entered into with the Region to allow the construction of a sewage pumping station on the property known as 809 Beach Boulevard, more particularly known as part of Lot 45, Plan 452, described as being in the City of Hamilton, commencing the day after Regional Officials execute the Agreement; and,

(e) That the City sublet 984 Beach Boulevard to the Regional Municipality of Hamilton-Wentworth for the installation of a sanitary sewer pumping station. The lease term is one year at a rent of $1. per annum to be credited Account No. CH 44104 31106 (Rentals/Fees Civic Properties Rented) and compliance with the terms and conditions set out in the existing lease between the City and the Hamilton Region Conservation Authority. The subject property is more particularly described as being in the City of Hamilton, known as part of Burlington Beach; and,

(i) That this Lease be extended on an annual basis until such time as the overall transfer of Beach Strip properties takes place between the Authority and the City, at which time the Regional Municipality of Hamilton-Wentworth will purchase a permanent registered interest in the lands;

(f) That an Authority to Enter Agreement be entered into with the Region to allow the construction of a sewage pumping station on the property known as 984 Beach Boulevard, more particularly described as being in the City of Hamilton, known as part of Burlington Beach, commencing the day after Regional Officials execute the Agreement; and,

(g) That the Mayor and City Clerk be authorized and directed to execute all necessary documents to finalize this transaction.

12. That approval be given to the Culture and Recreation Department - Cultural Division to apply to the Department of Canadian Heritage for Federal funding for up to $55,000. under the Museums Assistance Program - Facility Upgrading category to complete the final phase of the Dundurn Castle building restoration.

13. (a) That the City of Hamilton enter into an agreement with the Government of the North West Territories and the Innuit Council to erect a memorial to recognize the Innuit citizens who passed away at the Hamilton Mountain Sanatorium and were buried at Woodland Cemetery.

(b) That Mayor of the City of Hamilton be authorized to seek equal funding from the Federal Government (Indian Affairs), the Government of the North West Territories (Department of Health), the City of Hamilton and donations from the general public to cost share this project.

(c) That the Manager of Cemeteries upon receiving funding approval and approval of the memorial design from the Innuit Council proceed to erect the Memorial in an approved location near the actual burial sites.

(d) That the Mayor of the City of Hamilton be authorized to formulate plans for a dedication service.

(e) That the Manager of Cemeteries be authorized to place $16,500. in the Cemetery Divisions proposed 1995 Current budget submission for consideration in the budget process.

14. (a) That a purchase order be issued to Hesco Electric Supply Co. Ltd., Hamilton for the supply and delivery of light fixtures as and when required during 1994 and 1995 for various parks and streets, being the lowest of three tenders received in accordance with specifications issued by the Purchasing Division and Vendor's tender and be financed from Stock Account CH56197-60999; and,

(b) That a purchase order be issued to Graybar Electric (Ontario) Ltd., Hamilton for the supply and delivery of light fixtures as and when required during 1994 and 1995 for various parks and streets, being the lowest of three tenders received in accordance with specifications issued by the Purchasing Division and Vendor's tender and be financed from Stock Account CH56197-60999; and,

(c) That a purchase order be issued to The Lightplan Group Inc., Toronto for the supply and delivery of poles as and when required during 1994 and 1995 for various parks and streets, being the lowest of three tenders received in accordance with specifications issued by the Purchasing Division and Vendor's tender and be financed from Stock Account CH56197-60999.

15. That approval be given to the action by the Interim Director of Culture and Recreation as required by Section 5 (b) of the Parks By-Law 77-221, be given to the Hamilton Tiger Cats Football Club to host a Native Indian Powwow, 1994 September 17, 12 noon - 11:00 p.m. & September 18, 12 noon - 6:00 p.m. in Brian Timmis Stadium, subject to the following terms and conditions:

(a) That proof of $2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury to be submitted, naming the City as co-insured with a cross liability endorsement.

(b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)

(c) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

(d) That the event be monitored by the Special Events/Festival Advisory Team, with a post-event report back to Committee.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin Christenson
Secretary

1994 September 20

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1994 and respectfully recommends:

1. That approval be given to Zoning Application ZAR-94-21, U-Haul Co. of Canada Ltd., prospective owner, requesting a modification to the "M-12" (Prestige Industrial) District regulations, to permit the rental of trucks (maximum of 6 vehicles), as an accessory use to the existing public storage facility, for property located at No. 1088 Rymal Road East, as shown on the attached map marked as APPENDIX "A", on the following basis:

   (a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

      (i) Notwithstanding Section 17D.(1), automobile truck rental and leasing services, for a maximum of 6 vehicles, shall be permitted only as an accessory use to a public storage use, and the storage of rental vehicles shall be located only at the rear of the subject lands abutting the rear (south) lot line; and,

      (ii) Section 18A.(1)(d) shall not apply to a public storage use and accessory automobile truck rental and leasing services.

   (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1332, and that the subject lands on Zoning District Map E-49E be notated S-1332; and,

   (c) That the Director of Local Planning be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E, in a form satisfactory to the City Solicitor, for presentation to City Council; and,

(d) That this proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That the Clerk be directed to forward the following recommendations and a copy of the report dated 1994 September 13 to the Standing Committee on the Administration of Justice, the Minister of Municipal Affairs and the Hamilton-Wentworth Region, and that they be advised that the City of Hamilton supports Bill 163, An Act to revise the Ontario Planning and Development Act and the Municipal Conflict of Interest Act, to amend the Planning Act and the Municipal Act and to amend other statutes related to planning and municipal matters:

(a) Provided that the following changes be made to Part III, Planning Act, of Bill 163

(i) That Bill 163 should be amended to clarify as to whether or not appeals to Committee of Adjustment decisions can be heard by a committee of Council; and,

(ii) That proposed Section 44(12) of the Planning Act be amended to clarify as to whether or not delegated approval authority could be divided between a staff member and a Committee; and,

(iii) That proposed Section 22(1) of the Planning Act be amended to clarify that the requirement for a public meeting within 180 days commence upon receipt of a complete application, and that the decision on what constitutes a "complete" application be made by the municipality; and,

(iv) That proposed Section 17(6) of the Planning Act be amended to allow municipalities to establish alternative time frames in their Official Plan regarding the timing of public meetings and council decision on a proposed Official Plan Amendment; and,

(v) That the Province be advised that the City of Hamilton does not support in their present form the proposed changes in Bill 163 to Section 42 of the Planning Act regarding parkland dedication. Rather, Bill 163 should be amended to clarify that the cash-in-lieu system utilized in the City of Hamilton will be permitted whereby an initial payment is made under Section 42 of the Planning Act at the time of subdivision and that this payment is credited against the cash-in-lieu payment required at the time of the issuance of the building permit; and,

(vi) Bill 163 should be amended to allow for a mechanism to combine the requirements for two public meetings into one meeting where both the plan of subdivision and rezoning can be considered concurrently; and,

(vii) That proposed Sections 51(6) and 53(23) of the Planning Act that will require public notification and allow for the appeal to the Ontario Municipal Board of a change in a condition of draft plan approval for a plan of subdivision or consent be deleted from Bill 163; and,

(b) That the Province amend the proposed changes to Section 223.1 of the Municipal Act to authorize municipalities to control the removal of vegetation and/or tree cutting.

3. That the Mayor be requested to write the Premier of Ontario and the six local M.P.P.'s requesting that the Province of Ontario reconsider its decision not to fund the Ontario Home Renewal Programme - Disabled. **AMENDED.**

4. (a) That the Mayor with representation from the Planning and Development Committee, arrange a meeting with the Premier of Ontario to request the immediate implementation of the Barton Redevelopment Programme; and,

(b) That the Mayor be directed to send a letter to the Premier and the Minister of Economic Development and Trade in support of the ongoing negotiations between the Province and the Hamilton Arts Community requesting that the various arts projects proceed to implementation as Regional negotiations continue on the Red Hill Expressway alignment.

5. That the appropriate By-law to incorporate offence and penalty sections in By-law Nos. 6593, 74-74, 87-150 and 74-290 regarding fines levied under the Zoning By-law, Property Standards By-law, Site Plan Control By-law and Demolition Control By-law be enacted.

6. (a) That a professional experienced in architectural conservation be hired to examine the current condition of St. Mark's Anglican Church, 130 Bay Street South, and provide cost estimates for the maintenance of the building and conversion to a new use; and,

(b) That Staff be directed to investigate costs for undertaking the action as noted in (a) above in addition to investigating the availability of Provincial Grant Programs to offset these costs.

7. That the attached Appendix "B" outlining the Westdale Village B.I.A. project for implementation under the 1994 Commercial Improvement Programme be approved at an estimated cost of $6,500.

8. That a Commercial Loan in the amount of twenty five thousand dollars ($25,000.) be approved for Christina and Charalampos Kalsidis for improvements at 250 Ottawa Street North. The interest rate will be four per cent amortized over ten years.

9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and fifty two dollars ($1,552.) be approved for Grant Young, 221 Brucedale Avenue East, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000.) be approved for Randy and Laurie LeClair, 6 Frederick Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000.) be approved for Yvonne Clow, 69 Houghton Avenue South. The interest rate will be 8 per cent amortized over 5 years.

12. That the Building Commissioner be directed to not issue a demolition permit for 206 Bay Street North.

13. That the Building Commissioner be authorized to issue a demolition permit for 82 Victoria Avenue North.

14. That the Building Commissioner be authorized to issue a demolition permit for 794 West 5th Street.

15. That a Hamilton Rehabilitation Programme (H.A.R.P.) application be approved in an amount not to exceed $7,500 for Luigi and Eileen Unelli, 43 Barton Street West.

Note: The actual amount of grant or loan to be determined by inspection of the property under Property Standards By-law 74-74, and pursuant to By-law 78-133 for the Hamilton Revitalization Programme (H.A.R.P.)

16. That approval be given to Zoning Application 94-24, Mrs. Hyesoon Lee, owner, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to permit a parking lot use, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593, as amended by By-law No. 89-82, and Zoning District Map E-43 for presentation to City Council, for lands located at No. 60 Dalhousie Avenue, as shown on the attached map marked as APPENDIX "C". The 'H' (Holding) provision was placed on the lands until such time as the applicant/owner has applied for and received approval of a Site Plan.

17. (a) That Council of the City of Hamilton has no objections to the policies and designations in the City of Burlington Official Plan since it does not affect the planning intentions of the City of Hamilton; and,

(b) That the City Clerk forward City Council's decision to Halton Region.

18. That the Building Commissioner be authorized to call tenders and proceed to have the necessary work completed to bring 121 Alpine Avenue into compliance with City of Hamilton Property Standards By-Law #74-74 as amended.

19. That leave be granted to introduce the following Bills:

(a) C-47 A By-law to Provide for a Penalty Section for various By-laws.

(b) C-48 A By-law to Amend Zoning By-law No. 6593 respecting Lands located at No. 1088 Rymal Road East

(c) C-49 A By-law to Amend Zoning By-law No. 6593 respecting Lands located at Municipal No. 153 Cathcart Street, No. 194 Barton Street East and Nos. 174, 180 and 186 Ferguson Avenue North

20. On land severance applications for one, two, or three lot developments,

(a) That the Land Division Committee be informed, that the City of Hamilton requires, as a condition of approval of such applications,

(i) That the applicant (prior to the granting of Consent to a severance) enter into and register on title to the land being developed a Lot Grading Agreement with the City of Hamilton satisfactory to the Building Commissioner, incorporating the following requirements:

(aa) Applicant's engineer to prepare satisfactory to the Building Commissioner and have attached to the Agreement, a detailed grading plan of each separate parcel;

(bb) Applicant's payment of the following fees:
- for grading inspection, a fee of $153. per parcel;
- administration fee per agreement $350.;
- a refundable security of $2,000. per parcel, to be refunded when lot grading certified completed;

(cc) Agreement to give City of Hamilton an easement to enter the land to complete the approved grading;

(dd) 1) Grading to be completed by applicant within six months of insulation inspection date or City of Hamilton has right to complete the grading.

2) Security deposit to be released and Lot Grading Agreement discharged once the grading certification has been received and accepted by Building Commissioner.

(ii) That the applicant's lawyer prepare and register the Lot Grading Agreement incorporating the City of Hamilton's requirements, and the applicant's lawyer shall certify land ownership, registration of the Agreement (and its easement) to the City;

(iii) That the said Lot Grading Agreement be in addition to any other conditions of the City of Hamilton, its Roads, Planning and other departments submitted to the Land Division Committee.

(b) Upon notification from the Building Commissioner that the City has received from the applicant's engineer confirmation that the grading, as approved, has been installed,

(i) The City Clerk is authorized to execute a discharge of Lot Grading Agreement,

(ii) That the balance of the security received by the City not required for enforcement, be refunded to the applicant without interest.

(c) That the Building Commissioner be directed to submit with the Building Department's annual adjustments to its user fee schedule for Council approval, adjustments, if required, to the fees and security provided for herein.

(d) That the Building Department staff complement be increased by one Customer Service Representative. This position to remain vacant until revenues are sufficient to fund the costs. **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Copps, Wilson, Eisenberger, Jackson, D'Amico, Ross. -9.

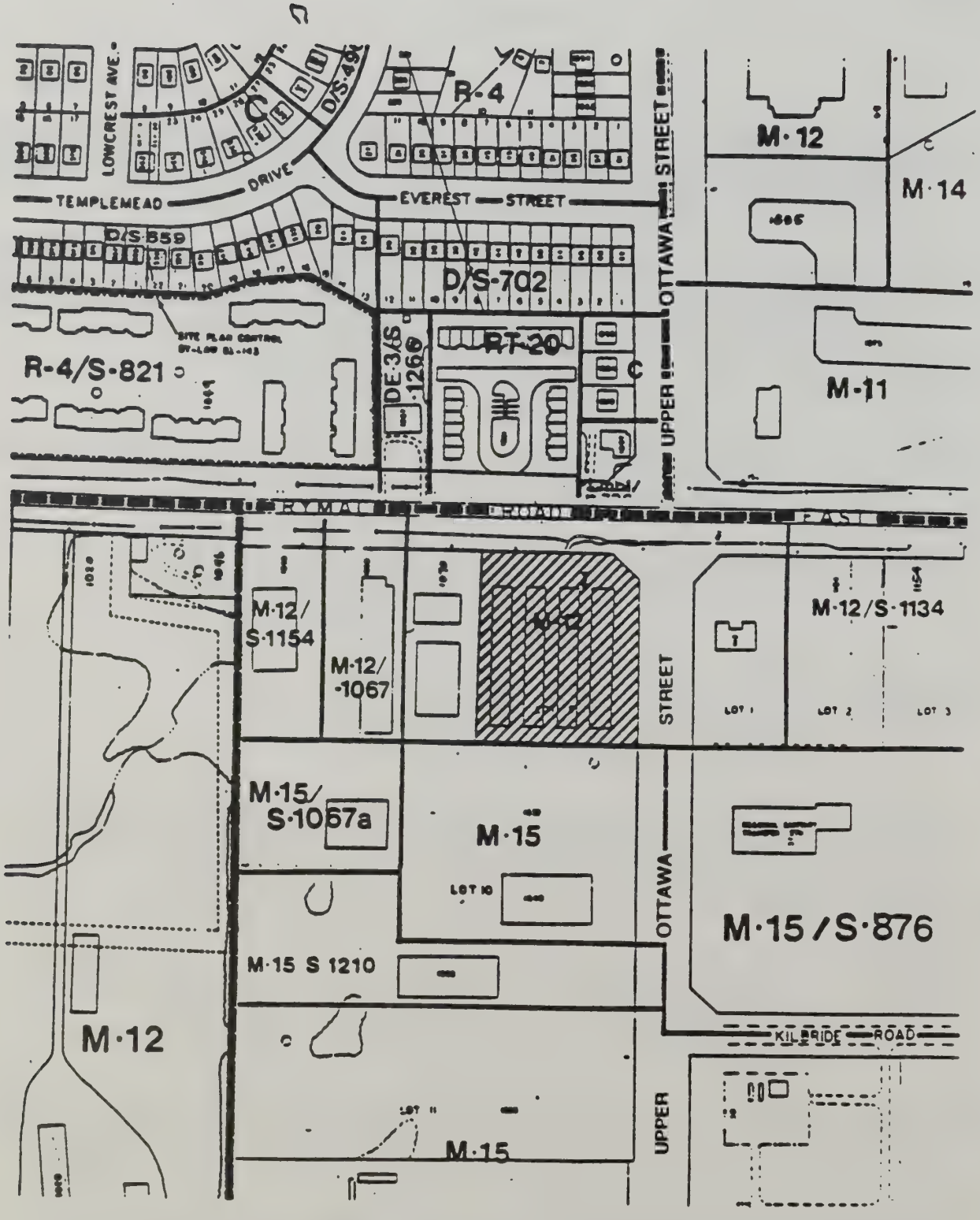
NAYS: Aldermen Drury, Charters, Merling, Anderson. -4

CARRIED.

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1994 September 21

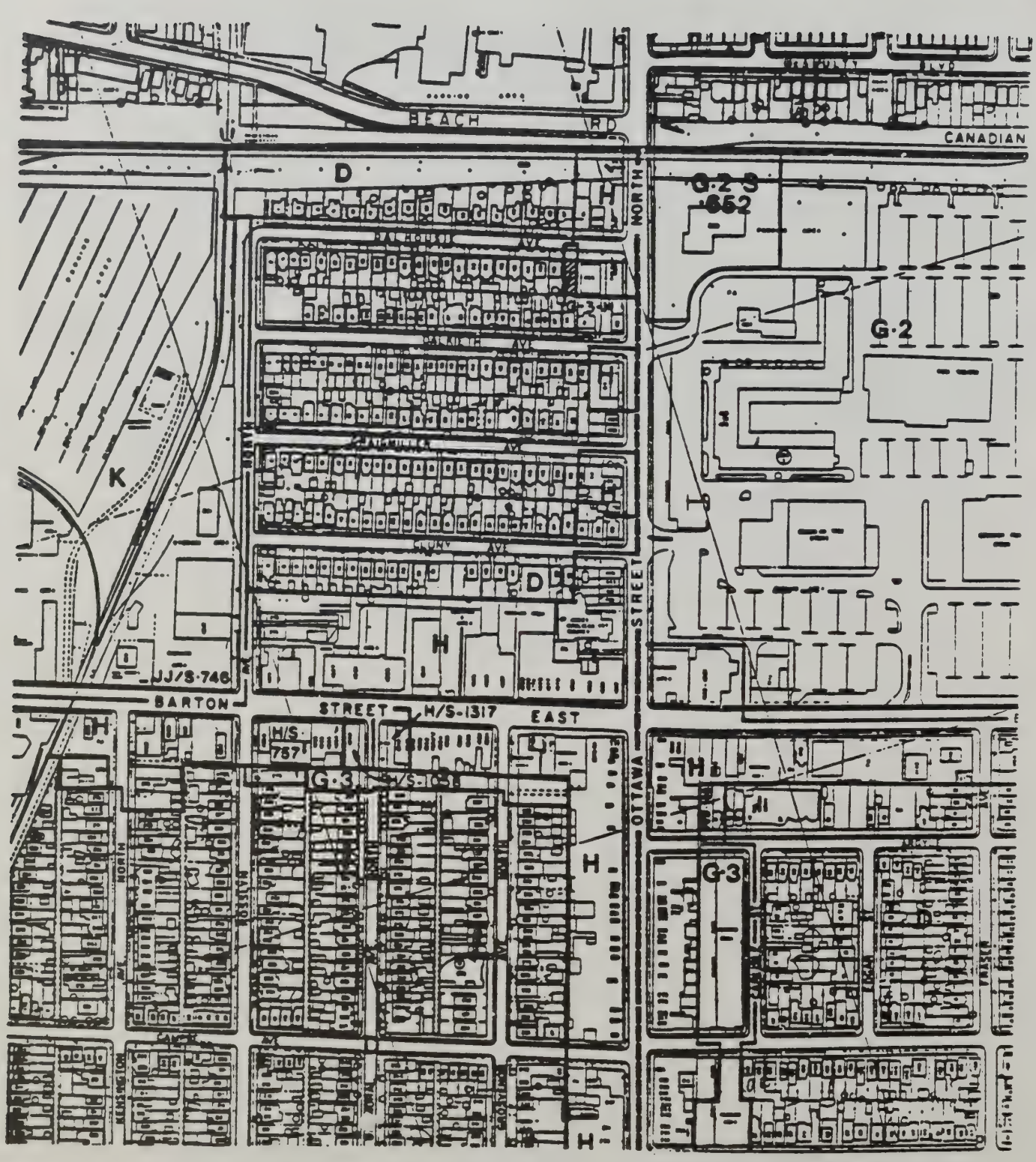

LOWCREST AVE.
DRIVE
TEMPLEMEAD
EVEREST STREET
R-4
M-12
M-14
D/S-702
R-4/S-821
RT-20
M-11
OTTAWA STREET
UPPER
M-12/
S-1154
M-12/
-1067
M-12/S-1134
M-15/
S-1067a
M-15
M-15/S-876
M-15 S 1210
M-12
KILBRIDE ROAD
M-15
Legend
Site of the Application
ZAR-94-21

COMMERCIAL IMPROVEMENT PROGRAM REQUESTS

1994

BIA	Item	Cost
Westdale Village	8 litter containers	$ 6,500.
		$ 6,500.

TOTAL ESTIMATED COST OF C.I.P. REQUEST $6,500.


BEACH
CANADIAN
NORTH
STREET
D
H
G-2
G-3
K
JJ/S-746
BARTON
STREET
H/S-1317
EAST
H/S
787
OTTAWA
STREET
G-3
H
H
H

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1994 and respectfully recommends:

1. For the information of the members of City Council, the Finance and Administration Committee have appointed the following members to serve on the VE Day Celebrations Committee:

Chairman	Colonel John A. Williamson"
Vice-Chairman	Group Captain Murray G. Marshall
Mayor	Robert M. Morrow
Alderman	William M. McCulloch
United Council of Veterans	Jack McFarland, President
Royal Canadian Legion	Roy G. Graves, Zone Commander
Hamilton Veterans Committee	Michael J. Roach, Chairman
Canada Remembers Project	Fern Viola, Co-Ordinator
Members	Colonel James C. Forsyth
	Colonel George T. Frid
	Commander A. J. Rick Woodrow
	Major Eileen Butson
	Flying Officer Brian W. Morison

2. (a) That the City pay to Mrs. Mary Sinclair the sum of $147.50 in full and final satisfaction of her claims for damages arising out of incidents which occurred on 1993 June 29 and 1994 June 24; and,

   (b) That Mrs. Mary Sinclair be required to sign a Full and Final Release in a form satisfactory to the City Solicitor.

3. (a) For the information of the members of City Council, the Finance and Administration Committee has approved that a Safe City Sub-Committee be established, effective 1995 February 1st to coincide with all other City Committees, in accordance with the Terms of Reference attached hereto and marked as Appendix "A".

(b) That the Chief Administrative Officer be instructed to meet with the Status of Women Sub-Committee and the Hamilton Safety Council to clarify any potential overlap in the Terms of Reference of the Safe City Sub-Committee. **ADDED.**

4. (a) That approval be given for the actions taken in authorizing the involvement of the Corporation of the City of Hamilton in contributing to the development of the Nina de Villiers Garden at McMaster University in the form of funding for the purchase and installation of two steel structures to support climbing rose bushes together with the plant material at a total upset cost of $1,200, applicable taxes included; and,

(b) That the purchase and installation of this work, being undertaken by McMaster University, be funded through the unclassified account centre number - CH 24201.

5. (a) That approval be given to the request of The Head-of-the-Lake Historical Society to use the Council Chamber and second floor foyer on Friday, 1994 October 14 from 7:00 p.m. - 9:30 p.m. for a book launch and reception; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

6. That approval be given to the request of McMaster University and the India-Canada Society to use the City Hall Council Chamber and second floor foyer areas on Sunday, 1994 October 2 from 10:00 a.m. - 1:00 p.m. for a celebration ceremony to mark the 125th Anniversary of Mahatma Gandhi.

7. That as referred to in Section 52 of Twelfth Report for 1994 of the Transport and Environment Committee, the net additional financing required in the amount of $1,996.39 for six projects whose costs exceeded approved estimates due to retaining wall construction not originally anticipated in the engineer's estimates, be financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

8. That as referred to in Section 51 of the Twelfth Report for 1994 of the Transport and Environment Committee, the additional financing required in the amount of $10,000. for the construction of an independent curb on the east side of Upper Kenilworth Avenue from Landron Avenue to Limeridge Road East, be allocated out of the 1992 City's share of Local Improvements and financed from the Reserve for Capital Projects, Account Centre No. CH 00203.

9. That realty and business tax applications processed under Section 443 of the Municipal Act, Chapter 45, Statutes of Ontario, 1990 in the amount of $131,748.89 be approved and charged to CH53307-24104 Tax Remissions.

10. That the City Treasurer be directed to close the following Capital Project account with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
a) 318851001	C.U.P. Replacement /Overhaul Equipment	$410,000.	$409,873.	$127.	Capital Levy RCP
b) 328541101	City Hall - Accommodation Requirements	$88,000.	$87,997.	$3.	RCP
TOTAL				$130.	

11. (a) That the City of Hamilton co-sponsor a luncheon for the International Symposium on Health Management Conference scheduled to take place at the Hamilton Convention Centre from November 12th to the 15th, 1994 in the amount of $5,000.; and,

(b) That this amount be charged to the Special Civic Receptions and Delegation Hosting Account No. CH55314-84010.

12. (a) That David M. Griffith & Associates be awarded the contract for the development of a User Fee Study to commence on 1994 October 3rd, and to be completed by 1995 January 26th, based on a proposal submitted by them, at a firm quotation in the total amount of $69,550.; and,

(b) That the amount be financed from account CH55406-24101 Fees-Consultants, as provided for in the 1994 Current Budget.

13. (a) That approval be given to broadening the scope of the use of the funds allocated for consulting assistance in Restructuring, to allow Team Building and Continuous Improvement initiatives to be funded for various Departments; and,

(b) That $18,000. be provided to the Traffic Department for a Team Building initiative in the Parking Control Section to hire Ernst and Young as facilitators.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Alderman Copps. -1. **CARRIED.**

14. That the Mayor be authorized and directed to send a letter to the Premier of Ontario requesting that the Ontario Government make the necessary amendments to the Ontario Building Code, The Ontario Fire Code, and the Hotel Fire Safety Act to require all hotels three storeys or higher in height to be sprinklered.

15. (a) That the staff committee represented by the Treasury, Planning, Culture and Recreation, Public Works, Fire, Traffic, and Building Departments and the Hamilton Public Library and chaired by the Building Commissioner be directed to:

(i) Act as the co-ordinating committee responsible for developing a new development charges by-law; and,

(ii) Commence a new development charges study; and,

(iii) Develop a proposal call for a consultant to assist in the review based on experience and fees; and,

(iv) Conduct a review of the development charges policies; and

(b) That in accordance with the Development Charges Act, a public meeting of City Council through the Finance and Administration Committee be held to advise the public of the City's intent to review development charges policies and with the view tc enact a development charges by-law; and,

(c) That the Law Department be added to the staff committee.

16. (a) That Licence By-law 93-069 be amended:

(i) To eliminate any duplication of regulations contained in by-laws of the Building, Fire and Health Departments; and,

(ii) To provide for a requirement that each tenant in a lodging house have a lockable personal mailbox; and,

(iii) To require the licence holder to post and keep posted a list of emergency telephone numbers for Fire, Health and Building Departments; and,

(iv) To remove all reference to sex and age in accordance with Human Rights Legislation; and,

(v) To require the owners or operators of a lodging house to obtain a Certificate of Compliance pursuant to the Property Standards By-law 74-74, from the Building Department for each lodging house, commencing in 1995, upon first renewal of those with an existing licence, when a new licence is issued, when a licence is transferred (provided the Certificate of Compliance on the premises is 3 years old) and every third anniversary thereafter; and,

(b) That the amending By-law, submitted herein for approval as Bill D-27, giving effect to the above noted recommendations be enacted with an effective date of 1995 January 1; and,

(c) That the Planning and Development Committee be requested to direct the Planning and Development Department to review the definition of a lodging house and associated definitions in Zoning By-law 6593 in light of the recommendations of the Roomers and Boarders Task Force; and,

(d) That the City Clerk be authorized and directed to co-ordinate Training Sessions for lodging house owners and staff prior to the issuance of the licence renewal. Follow-up Training Sessions are to be conducted once yearly for owners and staff of new lodging houses.

17. That the terms of office for the existing citizen members of the various City Committees, Local Boards and Commissions expiring at the end of 1994, be extended until 1995 February 1 or until their successors are appointed, to allow the Committees, Local Boards and Commissions to function until such time as the newly elected Council has had an opportunity to undertake the necessary actions to fill these vacancies.

18. That the 1993 management post audit letter containing recommendations and comments affecting the City's accounting systems, procedures and controls and subsequent management action, be accepted. Copies of this letter were distributed to all members of City Council, and are available from the Secretary upon request.

19. That outstanding rental arrears and stadium clean up charges due from the Hamilton Steelers Soccer Club for the use of Brian Timmis Stadium for the 1990 and 1991 season in the amount of $50,693.18 be written off and charged to Account No. CH15401-00001, Allowance for Doubtful Accounts.

20. (a) That the Mayor and City Clerk be authorized to enter into an Agreement with Bell Canada regarding the location of payphones on City property, and within City buildings, and the revenues to be received by the Corporation; and,

    (b) That the agreement be for a five year term; and,

    (c) That the agreement be in a form satisfactory to the City of Hamilton Solicitor; and,

    (d) That the Director of Information Systems be responsible for administration of the Agreement with Bell Canada, and be authorized to approve the addition, or removal, of payphones locations in the schedule to the Agreement as requested by the City Department(s) responsible for the respective City property or building.

21. (a) That the replacement DEC File Server be acquired from Strategic Concepts and GE Hamilton (joint bid) of Mississauga, Ontario (the lowest of 3 proposals), at $2,755 per month for 36 months commencing 1994 November 1 in accordance with their proposal dated 1994 September 1. Funding to be provided from Account CH56605-26032 (Computer Equipment Rental); and,

    (b) That the Mayor and the City Clerk be authorized to execute a master lease agreement with GE Hamilton in a form satisfactory to the City of Hamilton Solicitor (the City of Hamilton is the lessee); and,

(c) That the Director of Information Systems be authorized to execute the lease schedule for the equipment as approved.

22. (a) That the City resolve Ontario Court (General Division) Action No. 3610/93 by the payment to the Plaintiff, Antonella Sigismondi, of the sum of $3,500 inclusive of all claims for damages including costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 3610/92 be dismissed without costs.

23. (a) That the City terminate the retainer of Underwriters Adjustment Bureau Ltd. as Claims Adjusters for the City's liability and property damage claims; and,

(b) That the City Solicitor be directed to send the appropriate notice of termination to Underwriters Adjustment Bureau Ltd. advising them that their retainer by the City is terminated effective immediately; and,

(c) That the City Solicitor and the Acting Director of Public Works be authorized to enter into negotiations with Crawford and Company Adjusters Limited, the second lowest bidder on the original Request for Proposals, with a view to establishing a new retainer for Claims Adjusting services.

24. (a) That the City enter into an Extension Agreement, in a form satisfactory to the City Solicitor and to the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with MNC Lifecare Group Inc., owner of 39 Mary Street, to extend the time open for payment of realty tax arrears on the property, from 1994 September 28 to 1995 December 31, subject to the payment terms set out below; and,

(b) That the following extensions to the realty tax payment dates and amounts be approved:

(i) the Cancellation Price in respect of the land may be paid on or before 1994 December 31; and,

(ii) in the alternative, the time within which the Cancellation Price may be paid, is hereby further extended as follows and the following payments of the Cancellation Price are hereby permitted:

One twelfth of the Cancellation Price as of 1994 December 31, together with a one twelfth portion of 1995 real property taxes (as estimated by the City) shall be paid on the first day of each and every month during 1995 commencing 1995 January 1, and continuing through to 1995 November 1, in equal monthly payments, save and except for the 1995 December 1 payment which shall be an amount sufficient to pay the balance of the said Cancellation Price together with the balance, if any, of 1995 real property taxes due and payable up to 1995 December 31; and,

(c) That as a condition of this approval, the Owner covenants to the City to pay or cause to be paid on or before December 31, 1994, the following:

(i) all outstanding Business Taxes in respect of Business Tax Roll number 02-01535-0940-0020-941 owing to the City; and,

(ii) all outstanding Business Taxes in respect of Business Tax Roll number 01-01035-3120-0020-941 owing to the City.

25. That leave be granted to introduce the following Bills:

D-26 A By-law to authorize an Extension Agreement for Payment of Realty Tax Arrears.

D-27 A By-law to replace Schedule 28 of Licensing By-law No. 79-323 as consolidated in By-law 93-069 respecting Lodging Houses.

D-28 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

ALDERMAN B. CHARTERS, ACTING CHAIRPERSON AND VICE-CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1994 September 22

Appendix "A" referred to in Section 3 of the **FOURTEENTH** Report of the Finance and Administration Committee for 1994.

HAMILTON SAFE CITY SUB-COMMITTEE

TERMS OF REFERENCE

1. Mandate

The mandate of the Safe City Sub-Committee is:

(a) to monitor the implementation of recommendations in The Women's Safety Audit Report of September 1992; and,

(b) to identify and monitor safety issues affecting the community; and,

(c) to develop new policies and programs relating to an ongoing municipal response to violence against all citizens; and,

(d) to consult with and provide information resources to community groups and agencies in their ongoing work to end violence against women; and,

(e) to liaise on an on-going basis with all other safety organizations in order to ensure that overlapping of activities does not occur.

2. Membership - Composition

The membership of the Safe City Sub-Committee will be composed of no less than 20 members, and no more than 25 members, consisting of agencies, groups or individuals from the diverse community; City Council; and, two members of the Hamilton Status of Women Sub-Committee.

The Safe City Sub-Committee has a goal of a minimum of a third of its members representing organizations that are by and for visible minority, Native, immigrant and refugee women. The Committee recognizes that this does not replace the need for ongoing consultation with groups not represented on the Safe City Sub-Committee.

3. Reporting Relationship

The Safe City Sub-Committee will be a Sub-Committee of the Finance and Administration Committee.

4. Membership - Selection

4.1 Members should be solicited through advertisements in the local newspapers.

4.2 In order to reduce any dominance in the Committee, the Hamilton Status of Women Sub-Committee must be an advisory body in the selection process.

4.3 Members should have fixed terms of office in accordance with any other similar Committee.

4.4 Vacancies: The Sub-Committee shall follow the usual procedures and process of any other Committee.

4.5 Relevant background materials on the Safe City Sub-Committee will be made available to all applicants of the Safe City Sub-Committee.

4.6 People applying for membership to the Safe City Sub-Committee should be willing to:

(a) demonstrate understanding of the Safe City Sub-Committee's mandate, and a commitment to the underlying principles of the Safe City Sub-Committee;

(b) work within a City Sub-Committee structure;

(c) contribute to the Safe City Sub-Committee.

5. Membership, Guidelines and Conduct

5.1 Members are asked to send regrets to the Administrator if unable to attend meetings.

5.2 Any member missing more than three (3) consecutive meetings is expected to contact the Administrator with a replacement from their organization. If they are unable to provide a replacement from their organization, another organization will be allowed the opportunity to take their place on the Safe City Sub-Committee.

5.3 A member's comment may not be offensive, or contain epithet, innuendo, or ridicule. The Chair or fellow members may interrupt such comments if they feel they are being individually or collectively insulted.

5.4 If a member, under 4.3, persists in hurtful behaviour, any member of the Committee can move to request resignation of the individual and replacement from their organization will be recognized to be an extraordinary measure, to be taken only under the most unusual circumstances.

6. Meetings

6.1 The Safe City Sub-Committee will meet monthly at City Hall.

6.2 The Chair may call special meetings to deal with urgent matters.

6.3 Quorum for meetings will be 1/3 of the total of the Sub-Committee membership. Members of the Safe City Sub-Committee may designate an alternate from their organization or office who has the voting right of the member, in the member's absence, at the meeting, and whose presence count towards a quorum.

7. Procedure for Minutes

7.1 Volunteer Secretary will take and process minutes of each meeting and be responsible to provide same to members one week prior to meeting.

7.2 The use of necessary city equipment to be provided by City Council.

8. Sub-Committees

8.1 Every Safe City Sub-Committee member is expected to sit on at least one Sub-Committee over one calendar year.

8.2 Each Sub-Committee will develop a set of goals and a timeline on individual issues.

8.3 Each Sub-Committee must, at its first meeting, select a Chair and a Notetaker. The Chair and Notetaker positions can be on a rotating basis.

9. Promotions

9.1 The Safe City Sub-Committee has a policy of not promoting for profit companies, products and events. It reserves the right to recommend qualified consultants, if such information is requested.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SIXTH** Report for 1994 and respectfully recommends:

1. That Public Hall Licence No. 127, issued to Jerry Palkowski, 644 Barton Street East, Hamilton be revoked.

2. That Bingo Licence No. M207539, issued to the Hamilton Hurricanes Football Club, be suspended until 1994 October 4.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

ALDERMAN T. COOKE
CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary

1994 September 22

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1994 and respectfully recommends:

1. That Alderman B. Morelli be appointed Chairman of the Committee of the Whole for a term commencing October, 1994.

RESPECTFULLY SUBMITTED

ALDERMAN G. COPPS
ACTING CHAIRMAN,
NOMINATING COMMITTEE

S. G. Hollowell
Acting Secretary

1994 September 27

URBAN MUNICIPAL

OCT 18 1994

GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1994 October 11
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was sung by Mia Corsini.

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Pastor Seepaul Ram, Full Gospel Victory Faith Outreach Church of Hamilton led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a plaque from the Ministry of Housing to Alderman B. Charters, Chairman of the Non-Profit Housing Corporation in recognition of grants received for the conversion of Non-Profit housing units to more efficient energy sources.

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Alderman V. J. Agro reported that "Park in the Heart", a parking authority promotion intending to encourage shoppers to park and shop downtown by reducing parking costs was now underway.

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PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

(a) "Community Health Week" October 14-21
(b) "Waste Reduction Week" October 17-23

ADOPTION OF MINUTES

The minutes of the meeting held 1994 September 27 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 September 6 from Primecan Holdings Inc., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" Urban Protected Residential, etc.) District, for lands located south of Towercrest Drive, between Upper Wellington Street and Colin Crescent, Hamilton, Ontario.

   Received.

2. Application dated 1994 August 30 from H. Lee, Hamilton, Ontario for removal of the "H" - Holding provision from the "G-3" (Public Parking Lots) District, for lands located at No. 60 Dalhousie Avenue, Hamilton, Ontario.

   Received.

3. Application dated 1994 September 16 from N. Jarvic and G. Kugler, Hamilton, Ontario for a further modification to the "H" (Community ~~Sho~~pping and Commercial, etc.) District regulutions for property located at Nos. 295 to 303 York Boulevard, Hamilton, Ontario.

   Received.

4. Application dated 1994 September 20 from N. Clarizio, Hamilton, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District regulations for Block "1" and for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, for Block 2, for lands located at No. 852 Upper Wentworth Street, Hamilton, Ontario.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be now considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT

PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT

Section 3 Re: Glow Park and Central Park - Creative Play Structures - financing

It was moved by Alderman Charters and seconded by Alderman Anderson that Section 3 (b) be deleted from the Sixteenth Report of the Parks and Recreation Committee for 1994.

CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Merling, Anderson. -3. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

Section 1 Re: Zoning Application 94-17 - Frank Ricci - 2535 King St. E.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson. -1. **CARRIED.**

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FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 17 Re: Proposal - Westcoast Gas Services Inc. - Supply of Natural Gas

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 17 of the Fifteenth Report of the Finance and Administration Committee for 1994 be amended by deleting the words ".. and at $1.74/Gigajoule for the period 1995 November 1 - 1996 October 31." contained in the fourth and fifth lines of sub-section (a). **CARRIED.**

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Section 20 Re: Standing Committees and City Council meetings - cancellation

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 20 of the Fifteenth Report of the Finance and Administration Committee for 1994 be amended by deleting "October 31" and replacing it with "November 14". **CARRIED.**

Recorded vote on amendment

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Drury. -2. **CARRIED.**

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Section 20 Re: Standing Committees and City Council meetings - cancellation

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Drury. -2. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - SEVENTH REPORT

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-69, A-70, A-71, A-72.
C-50, C-51, C-52, C-53, C-54.
D-29.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Morelli in the chair. (second reading).

A-69, A-70, A-71, A-72.
C-50, C-51, C-52, C-53, C-54.
D-29.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted:

A-69, A-70, A-71, A-72.
C-50, C-51, C-52, C-53, C-54.
D-29.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-69, A-70, A-71, A-72.
C-50, C-51, C-52, C-53, C-54.
D-29.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 9:20 'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz,
1994 October 11

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents it **THIRTEENTH** Report for 1994 and respectfully recommends:

1. (a) That an "Alternate Side Parking" regulation be implemented on East 26th Street between Queensdale Avenue East and Brucedale Avenue East such that parking is prohibited:

   - on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,

   - on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,

   (b) That the City Traffic By-law 89-72 be amended accordingly.

2. (a) That the existing "No Stopping" regulation on the west side of Blake Street which commences at a point 112 feet north of Maplewood Avenue and extends to a point 20 feet northerly therefrom be removed; and,

   (b) That the existing bus stop on the west side of Blake Street immediately north of Maplewood Avenue be deleted; and,

   (c) That the City Traffic By-law 89-72 be amended accordingly.

3. That the existing "Permit Parking" regulation on the south side of Hunter Street West commencing at a point 117 feet east of Ray Street South and extending to a point 22 feet easterly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

4. (a) That a "Permit Parking" regulation be implemented on the west side of Ferguson Avenue North commencing at a point ~~96~~ feet south of Wood Street East and extending to a point 25 feet southerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Mariano, No. 501 Ferguson Avenue North; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

5. (a) That a "Permit Parking" regulation be implemented on the east side of Strathcona Avenue South commencing at a point 228 feet south of King Street West and extending to a point 27 feet southerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Beryl Larsh, 25 Strathcona Avenue South; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

6. (a) That the existing "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation on the east side of East 27th Street between Halam Avenue and Mackenzie Road be replaced with a "Permit Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue upon request, one parking permit to each of the first 14 abutting residents on a first come, first served basis.

7. That a "Two Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on the east side of Neyer Street between Mohawk Road West and Laurier Drive and that the City Traffic By-law 89-72 be amended accordingly.

8. That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 4th Street between Richwill Road and the south end and that the City Traffic By-law 89-72 be amended accordingly.

9. (a) That the existing residential boulevard parking agreement registered as Instrument No. 124435 to the property at No. 59 Clyde Street be discharged, at the property owner's expense; and,

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and,

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

10. That the existing By-law entry allowing for a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the north side of Whitney Avenue from 266 feet east of Leland Street to a point 42 feet easterly therefrom; be rescinded.

11. That a "No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Catharine Street North commencing at a point 214 feet north of Cannon Street East and extending to a point 86 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

12. That the entry in the City Traffic By-law 89-72 allowing for a "No Stopping" regulation on the north side of Aldridge Street commencing at Caledon Avenue and extending to a point 40 feet easterly therefrom, be revised such that the regulation commences at Caledon Avenue and extends to a point 97 feet easterly therefrom.

13. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Anthony Picharel
Charles Corbin

(b) That the following appointment as a Parking Control Officer be repealed:

Albert Lutz
William McCully

14. (a) That the portion of Section 61 of the Seventh Report of the Transport and Environment Committee for 1992 adopted by City Council 1992 June 30, which refers to the approval of engineering schedules for Bar-Brock Estates Phase 3, Hamilton, be deleted.

(b) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"BAR-BROCK ESTATES - PHASE 3", Hamilton
(Revised Schedules "E" and "F")

City's Share $38,982. Subdivider's Share $257,882.85

(c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Bar-Brock Estates - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor; and,

(d) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered; and,

(e) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(f) That the City's share for the costs of services in "Bar-Brock Estates - Phase 3" ($38,982.) be approved and the Finance and Administration Committee recommend the source of funding for this project.

15. (a) That the following City land be incorporated into the street in order to complete the final street width or to provide access to newly registered subdivision development:

Upper Wentworth Street	Parts 1 and 2	Plan 62R-13080

(b) That the by-law to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council; and,

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

16. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of the Highridge South Neighbourhood organization, to hold a street party on Peregrine Place from Coopershawk Crescent to the end of Peregrine Place, on Saturday 1994 October 1, from 1:00 o'clock p.m. to 6:00 o'clock p.m., subject to the following conditions:

(a) That prior approval of the Chief of Police or his/her designate be received, and that such permits or authorizations as may be required by the Chief of Police or his/her designate be obtained; and,

(b) That the applicant provide proof of $2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and,

(c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,

(d) That all barricading be supplied by and at the expense of the applicant; and,

(e) That "Temporary Road Closure" signs be installed in advance by the Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services; and,

(f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer; and,

(g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,

(h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

17. (a) That an Offer to Purchase, duly executed by Frank Barnes, on 1994 September 19, and scheduled to close on or before 1995 May 31, for the sale of part of Lot 28, Concession 3, in the former Township of Saltfleet, now in the City of Hamilton, having a frontage of 15.23 metres (50.1 feet) more or less, along the northerly limit of King Street East, by a depth of 46.38 metres (152.16 feet) more or less, more specifically described as Part 2 on Plan 62R-3575, together with all structures erected thereon and municipally known as 2787 King Street East, Hamilton, be approved and completed, and the funds derived from this sale of $100,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque is the amount of $10,000. be held by the City Treasurer pending City Council approval; and,

(c) That this Offer to Purchase Agreement be conditional upon the following terms and conditions being satisfied no later than 1995 November 30:

i. to relocate the house presently situate on Parts 1 and 2, Plan 62R-3575, municipally known as 2787 King Street East, Hamilton to a location wholly within the limits of Part 2, Plan 62R-3575 in accordance with all municipal zoning and setback stipulations; and,

ii. to provide written verification to the City from an accredited Ontario Land Surveyor that the relocation of the house is wholly within the confines of Part 2, Plan 62R-3575; and,

iii. to obtain all necessary authorizations and permits from all municipal, provincial or federal authorities having jurisdiction with respect to the Moving Work; and,

iv. to provide all necessary barricades, fences, notices, signs or other safety and other security measures to the property during the Moving Work; and,

v. to demolish the existing foundation of the house in accordance with all necessary municipal provision. The Purchaser agrees that after the Building has been moved, and before any resulting excavations have been filled, the Purchaser must obtain written approval by the City confirming that the Building has been properly moved (including removal of all resulting rubble); and,

vi. to within 14 days of issuance of written confirmation stipulated above, the Purchaser shall fill and compact any excavations with clean imported earth or small granular material to within 12 inches of the existing grade of the lands immediately adjacent to such excavations; fill or any other material or the use of any environmentally hazardous material is not permitted; and,

vii. after the City has reinspected the site and issued written approval for the fill place, the Purchaser shall immediately place and compact 12 inches of imported clean earth level with the existing grade of the lands immediately adjacent to such excavations; and,

viii. to grade to the original elevation of the ground any elevations or mounds resulting from the Moving Work; and,

ix. to the removal and proper disposal of all refuse and debris so that Part 1, Plan 62R-3575 is left in a clean, tidy and safe condition; and,

x. such other work as is necessary or may be reasonably required by the City to complete the safe proper moving of the Building and the restoration of Part 1, 62R-3575 to a clear and level condition; and,

xi. to employ such duly licensed and qualified agents, contractors and work persons as may be required to complete the Moving Work; and,

xii. to ensure that any and all agents, contractors and work person employed in connection herewith shall give written notice to the City at least five business days in advance of the commencement dates of:

- moving of the Building; and,
- backfilling of any excavated area; and,
- final backfilling work; and
- any other stages of the Moving Work of which the City may request to be notified; and,

xiii. to maintain, at the Purchaser's expense, during the Moving Work, insurance coverage stipulating the Corporation of the City of Hamilton as an additional named insured; and,

- all risks insurance coverage upon property of every kind owned or leased by the Purchaser or for which the Purchaser is legally responsible and which is located on the Property, for the full replacement value thereof; and,
- public liability and broad form Property damage insurance including personal injury liability, owners protective (independent contractors) premises and operations liability, products and completed operations, non-owned automobile contractual liability, employer's liability and pollution conditions to be met by Private Individuals liability, such coverage to include all Moving Work conducted on the Property, to be written on a comprehensive basis with general liability coverage of not less than Two Million dollars ($2,000,000.) inclusive per occurrence, and to contain a severability of interests clause and a cross liability clause; and,

- any other form of insurance that the City, acting reasonably, requires from time to time in form and amounts and for such risks as against which a prudent owner would insure; and,

xiv. to comply at all times with the provisions of the Construction Lien Act, 1990 or successor legislation and to discharge or vacate from title to the Property all construction liens within 10 days of receiving notice of same; and,

xv. on or before the Closing Date, to post security for completion of the moving work in the amount of Thirty Thousand dollars ($30,000.) by certified cheque, money order, irrevocable letter of credit or performance bond; and,

xvi. if the Purchaser fails to complete the herein requirements on or before 1995 November 30, then the Vendor shall have the right to enter upon the said lands upon 30 days written notice to the Purchaser, and any such entry by the Vendor shall determine the estate of the Purchaser in the said lands. Notice of the entry may be registered by the Vendor on title to the said lands; and,

xvii. upon such entry by the Vendor, the Purchaser at its own cost shall execute and deliver to the Vendor a transfer of the said lands to the Vendor free and clear of all charges, encumbrances, liens, claims, or adverse interests whatsoever, and the Vendor agrees to pay to the Purchaser the original purchase price for the said lands, less the deposit, less the commission paid (if any) by the Vendor to a real estate agent; less arrears of realty taxes, penalty and interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges or other encumbrances against the said lands and less the costs of the Vendor incurred in entering on the land and retaking and reselling the land and without increase or compensation for any improvements, additions, alterations in, on or under the said lands; and,

(d) That it is understood and agreed:

i. that the City consents to the Purchaser applying for a minor variance of the lands being sold as the Purchaser determines necessary to allow for the relocation of the house presently situated on Parts 1 and 2, Plan 62R-3575,

municipally known as 2787 King Street East, Hamilton to a location wholly within the limits of Part 2, Plan 62R-3575; and,

ii. that if the minor variance as set out above has not been completed by 1995 January 17, then this Offer shall be null and void and the deposit shall be returned to the purchaser without interest; and,

iii. that the Purchaser acknowledges that in approving this Offer the City does not fetter the discretion of the Committee of Adjustments to decide whether to approve the minor variance as set above; and,

(e) That the existing Lease between the City of Hamilton and Robert and Gail Moore be terminated by the City upon 120 days written notification effective 1995 February 1; and,

(f) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease; and,

(g) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

18. That City Council enact the by-law to authorize the alteration of Stuart Street between Bay and MacNab Streets by narrowing the travelled portion of the roadway from 13.0 m to between 7.0 m and 12.0 m.

19. That approval be given to the actions of the Acting Director of Public Works in authorizing the Regional Commissioner of Transportation/Environmental Services to award a contract for the initiation of sidewalk reconstruction projects forming part of the Canada/Ontario Infrastructure Works, recognizing that the action control price is over the original estimate.

20. (a) That the Finance and Administration Committee recommend the source of funding for the additional financing required in the amount of $8,600. for the City's Share of the local improvement for the construction of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North; and,

(b) That the Acting Director of Public Works be directed to amend the applicable By-law for this project.

21. That the Senior Director of the Regional Roads Department and the Acting Director of Public Works be authorized to allocate appropriate sites for the disposal of snow from municipal winter operations.

22. That the Chief Administrative Officer and all Municipal Departments be directed to reinforce the mandate of the Transport and Environment Committee respecting environmental issues within the City of Hamilton, through improved working relationships with all appropriate public and private sector agencies and through effective reporting on environmental issues to the Transport and Environment Committee.

23. That the Transport and Environment Committee be authorized to strike a Sub-Committee consisting of Alderman H. Merling, Alderman B. Morelli, Alderman D. Wilson and Alderman F. Eisenberger to deal with the issue of environmental air quality in the City of Hamilton.

24. (a) That parking be prohibited on the east side of Donegal Place from Limeridge Road to the south property line of No. 7 Donegal Place; and,

    (b) That the City Traffic By-law 89-72 be amended accordingly.

25. That leave be granted to introduce the following Bills:

    (a) A-69 A By-law to Alter Stuart Street between Bay Street North and MacNab Street North by Narrowing the Pavement

    (b) A-70 A By-law to Incorporate Block 5, Plan 62M-721 Designated as Parts 1 and 2 on Plan 62R-13080 into Upper Wentworth Street

    (c) A-71 A By-law to Amend By-law No. 89-72 to Regulate Traffic

    (d) A-72 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1994 October 3

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents it **SIXTEENTH** Report for 1994 and respectfully recommends:

1. (a) That the Capital allocation for the Inch Park Arena Renovations and Additions be increased from $1,739,000. (Account CF 709441024) to $2,000,000. based on a cost estimate of a design option preferred by the Community and the End User Committee which provides a better long term usage and function of the renovated/expanded facility; and,

   (b) That the Finance and Administration Committee recommend the method of financing; and,

   (c) That the staff be authorized to tender the project as soon as construction and tender documents are completed to fast track construction and reopen the facility by the first week of October 1995.

2. (a) That the Capital allocation for the Parkdale Arena Renovations and Additions be increased from $1,739,000. (Account CF 709441023) to $2,000,000. based on a cost estimate of a design option preferred by the Community and the End User Committee which provides a better long term usage and function of the renovated/expanded facility; and,

   (b) That the Finance and Administration Committee recommend the method of financing; and,

   (c) That the staff be authorized to tender the project as soon as construction and tender documents are completed to fast track construction and reopen the facility by the first week of October 1995.

3. (a) That a one time approval be given to proceed with the ordering and installation of creative play structures located at Glow Park and Central Park, in advance of the respective fundraising obligations being remitted to the City; and,

(b) deleted.

(c) That this request be forwarded to the Capital Budget Sub-Committee and Management Team for review and recommendation for consideration by the Finance and Administration Committee; and,

(d) That the Finance and Administration Committee be requested to recommend an alternative means of financing; and,

(e) That, if approved, upon remittance of the groups' monetary responsibilities, these funds be deposited to that account identified to finance these projects.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, D'Amico, Ross. -14.

NAYS: Aldermen Charters, Merling, Anderson. -3. **CARRIED.**

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1994 October 4

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1994 and respectfully recommends:

1. That approval be given to amended Zoning Application 94-17, Frank Ricci, prospective owner, requesting a change in zoning from "HH" (Restricted Community Shopping and Commercial) District to "DE-3" (Multiple Dwellings) District, to permit the use of the subject land for a Residential Care Facility (retirement home) for 20 residents, for property located at 2535 King Street East, as shown on the attached map marked as APPENDIX "A", on the following basis:

   a) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

      (i) Notwithstanding Section 10C.(1)(i) of Zoning By-law No. 6593, a residential care facility for the accommodation of a maximum of 20 residents being qualified Senior Citizens shall be permitted; and,

      (ii) That a landscape planting strip having a minimum width of 1.5 m, and a visual barrier not less than 1.8 m in height and not greater than 2.0 m in height, shall be provided and maintained along the northerly property line; and,

   b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1334, and that the subject lands on Zoning District Map E-96 be noted S - 1334; and,

   c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-96 for presentation to City Council; and,

   d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Wilson. -1. **CARRIED.**

2. That approval be given to Zoning Application 94-23, Mike Jovanovic, owner, requesting a further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations to permit business and professional offices, including medical, within the existing building, for lands located at No. 2826 King Street East, as shown on the attached map marked as APPENDIX "B", on the following basis:

   a) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulation as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law No. 87-40, applicable to the subject lands, be further modified to include the following variance as a special requirement:

      (i) Notwithstanding Section 14A(1) of Zoning By-law No. 6593, business and professional offices shall be permitted only within the existing building; and,

   b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1002a and that the subject lands of Zoning District Map E-106 be noted S - 1002a; and,

   c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106 for presentation to City Council; and,

   d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. (a) That City Council reaffirm its decision of 1994 July 26 to deny the application for an Official Plan Amendment for lands owned by Chedoke Health Corporation, Mountview Neighbourhood; and,

   (b) That the Regional Municipality of Hamilton-Wentworth be advised of Council's decision.

4. That the City of Hamilton accept the sum of $18,000. as cash payment in lieu of the 5% land dedication in connection with "Sheldon Estates", Hamilton, this being the cash payment required under Section 51 of the Planning Act. The lands of "Sheldon Estates" are located east of Garth Street on the south side of Stone Church Road West in the Sheldon Planning Neighbourhood.

5. That the Building Commissioner be authorized to issue a demolition permit for 761 West 5th Street.

6. That the appropriate staff (e.g. Law, Planning) be authorized to attend the following Ontario Municipal Board hearings regarding appeals from Committee of Adjustment decisions:

   Application No. A-94:24 - 366 and 368 King Street West

   Application No. A-94:81 - 132 Albany Avenue

   Application No. A-94:86 - 170 and 172 Simcoe Street East

   Application No. A-94:155 - 86 Ward Avenue

7. That leave be granted to introduce the following Bills:

   (a) C-50 A By-law to amend By-law No. 93-167 regarding Building Permit Fees

   (b) C-51 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 89-82 respecting land located at Municipal No. 60 Dalhousie Avenue

   (c) C-52 A By-law to remove land within the Rymal Estates Subdivision, Plan 62M-679 from Part Lot Control

   (d) C-53 A By-law to amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 925 Main Street West

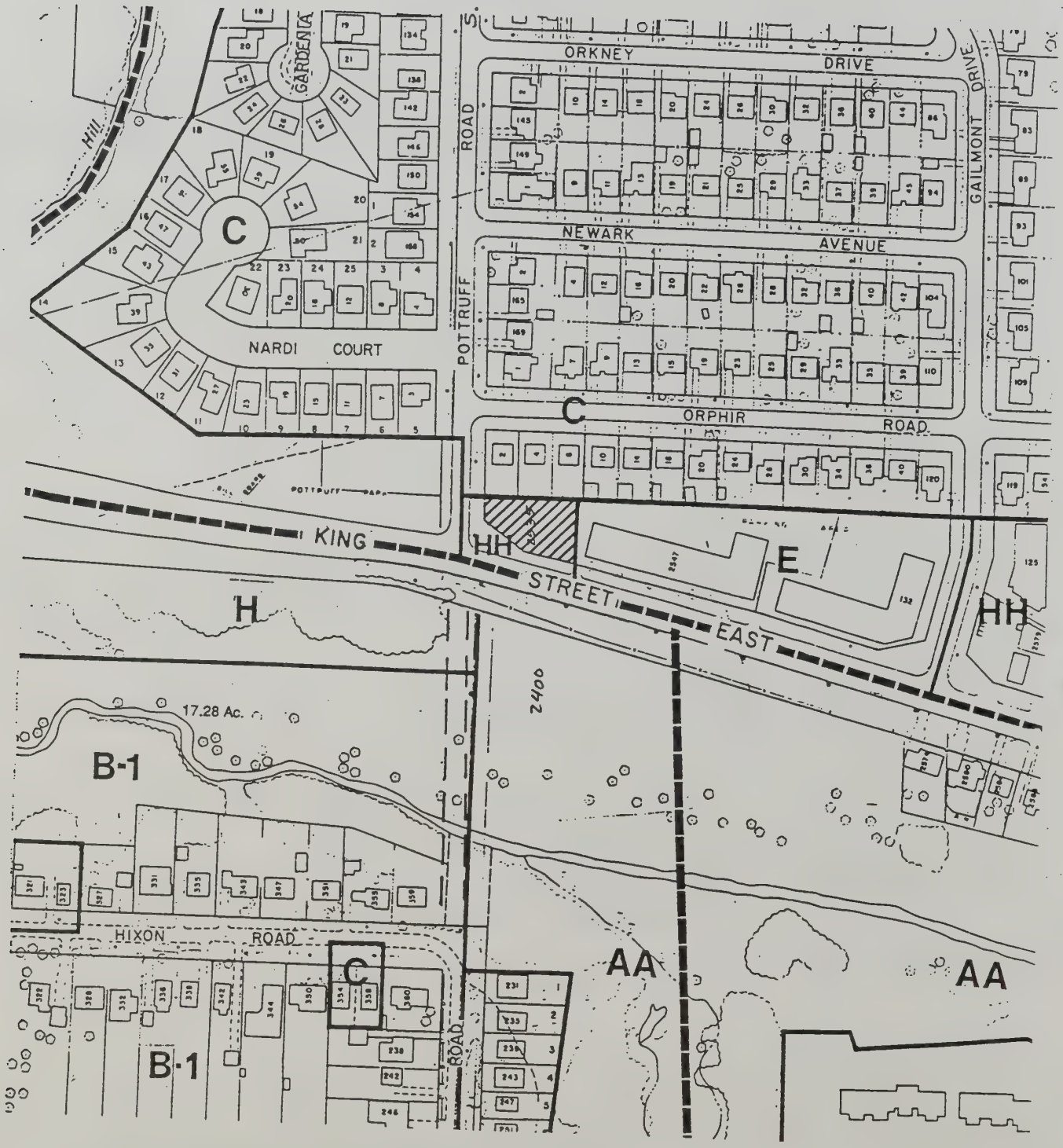
   (e) C-54 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 87-40 respecting lands located at Municipal No. 2826 King Street East

Respectfully submitted,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene Touzel
Secretary
1994 October 5

1994 October 11



Legend

Site of the Application

ZAC-94-17

1994 October 11

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1994 and respectfully recommends:

1. That a purchase order be issued to Altruck Transportation, Hamilton, in the amount of $114,767.70, all applicable taxes included, for the purchase of One (1) 54,000 LB. GVW Chassis with Two-Way Sander Body and Underslung Reversible Plow for Fleet Services, being the lowest of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

2. That a purchase order be issued to Regional Ford, Puslinch, in the amount of $64,630., all applicable taxes included, for the purchase of One (1) Backhoe Loader for Fleet Services, being the lowest of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

3. That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from 1994 September 16 - 30 to display a model of the New Hamilton Court House.

4. That approval be given to the action taken by the City Clerk in authorizing the Fountain Foundation to use the second floor foyer (west end) from 1994 October 3 - 24 to display a model of the Gore Park Fountain and related information.

5. (a) That approval be given to the action taken by the City Clerk in authorizing the Hamilton Aids Network to use the forecourt on Friday, 1994 September 23, from 5:00 to 6:00 p.m. for a Rally to support drug funding for persons living with HIV and Aids; and,

   (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

6. (a) That approval be given to the request of the Hamilton and District Council of Women to place a pictorial display on the second floor foyer at City Hall, for the week of 1994 October 17-21, during Womens' History Month;

   (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

7. That as referred to in Section 14 of the Thirteenth Report for 1994 of the Transport and Environment Committee, the City's share of "Bar-Brock Estates - Phase 3" Servicing, at a cost of $38,982., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

8. That as referred to in Section 20 of the Thirteenth Report for 1994 of the Transport and Environment Committee, the additional financing required in the amount of $8,600. for the City's share of the local improvement for the construction of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North be financed from the 1994 Capital Levy Account Centre No. CH 22002.

9. (a) That approval be given to issue a purchase order to Superior Boiler Works and Welding Ltd. in the amount of $128,854.75 for the replacement of the boilers at Westmount Recreation Centre and Mountain Arena, this being the lowest tender received, in accordance with specifications issued by the Purchasing Department; and,

   (b) That contracts be entered into satisfactory to the City Solicitor; and,

   (c) That as this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

10. That the listing of Appointments To and Terminations From Permanent positions with the Corporation of the City of Hamilton to 1994 September 28, attached herewith and marked Appendix "A", be approved.

11. (a) That the Mayor and City Clerk be authorized to execute agreements with Andersen Consulting of Etobicoke, and Compass Analysis of Kitchener to perform the Operational review of the Information Systems Department, based on their joint proposal dated 1994 June 30th; and,

(b) That purchase orders be issued to Andersen Consulting with an upset limit of $54,000. and to Compass Analysis with an upset limit of $45,000. to perform the Study (total cost $100,000.); and,

(c) That the Region be advised of their share ($50,000.) of the Study; and,

(d) That these recommendations be forwarded via Regional Council to the Administrative Services Committee for their information.

12. (a) That as referred to in Sections 1 and 2 of the Sixteenth Report for 1994 of the Parks and Recreation Committee, the Parkdale Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 -2003 Capital Budget, be increased to $2,000,000., and the Inch Park Arena Retrofit Project for $1,739,000., originally approved as part of the 1994 - 2003 Capital Budget, be increased to $2,000,000.; and,

(b) That the total increased cost in the amount of $522,000. for these two projects be financed as follows: $227,000. from the 1994 Capital Contingency Reserve for Capital Projects, Account Centre No. CH 00203 (all the funds remaining within that account) and the balance of $295,000. through the issuance of debentures, with the additional funding to be split between the two projects; and,

(c) That the City Solicitor be authorized to prepare the appropriate by-laws for these two projects requiring debenture financing for approval of City Council.

13. That Section 15 of the Thirteenth Report for 1994 of the Finance and Administration Committee, approved by City Council on 1994 August 30, authorizing the sale of 290 - 296 Victoria Avenue North to International Managed Health Care Inc., for the sum of $340,000. be deleted in its entirety, and replaced by the following in lieu thereof:

(a) That the City's property known as 290-296 Victoria Avenue North be placed under the administration of the Parking Authority of the City of Hamilton and that the sum of $340,000. be transferred from Account No. CF 5698 909345006 (Land Acquisition - General) and credited to Account No. CH 4X501 00102 (Sale of Land - Property Purchases). Subject lands are to be used for a municipal parking

lot, and are more particularly described as all of Lots 4 and 5, part of Lot 6, Registered Plan 33, in the City of Hamilton, containing 1,449.7 square metres (.358 acre) more or less; and,

(b) That the Parking Authority of the City of Hamilton will clear and develop the site at their expense.

14. (a) That an Option to Purchase Agreement, scheduled for closing on or before 1995 February 15, for the conveyance by the Regional Municipality of Hamilton-Wentworth of Lots 8 to 11 inclusive, and Block 12 (subject to an easement in favour of Trans Canada Pipeline Ltd.), Plan 62M-658 on Dartnall Road, to the City of Hamilton, for the nominal sum of $1., said parcel having a frontage of 151.4 metres (496.72 feet) more or less, along the easterly limit of Dartnall Road, by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) more or less, and containing an area of 1.536 hectares (3.795 acres), be approved and completed; and,

(b) That this Option to Purchase Agreement be subject to the following terms and conditions which form a part of this Agreement:

Schedule "A"

(i) The Region and the City acknowledge and agree that the land being sold by the Region to the City for the sum of $1. is a portion of a larger (50.9 acre) parcel (Parts 1 and 3, Plan 62R-4932) of land deeded by the City to the Region on 1981 December 1, by Instrument No. 326987 A. B. on the following terms:

(1) The Region shall acquire additional adjacent land (about 6.5 acres - which land has been acquired) and then offer for sale as non-residential development its adjacent land and the former City land (together, hereinafter referred to as the "site");

(2) The City and the Region will establish the value of their respective lands at an agreed upon date, namely 1978 June 30, based upon acquisition costs plus reasonable carrying charges. Based on these figures, a percentage ownership figure in the overall development (the site) will be determined;

(3) The costs of the City and the Region as of the said agreed upon date of 1978 June 30, are as follows:

	Total Costs	Percentage
City of Hamilton	$1,571,366.93	92.62%
Regional Municipality of Hamilton-Wentworth	$ 125,211.60	7.38%
Site Costs	$1,696,578.53	100%

(4) The City owned lands will then be transferred to the Region. (This was carried out by Deed 326987 A.B. referred to above). The Region will then undertake to service and develop and then sell the lands (the site) as an industrial subdivision;

(5) Upon the sale of these lands (the site), initially all servicing and development costs incurred in bringing this subdivision on stream will be paid. Once these costs are fully paid, then all further revenues will be split between the City and the Region, based on the above calculated percentage ownership formula;

(ii) The City accepts this Option to Purchase the subject land (Lots 8 to 11 inclusive and Block 12, Plan 62M-658) from the Region and both parties agree that the value of the subject land is $342,000. and that 7.38% of this land value may be deducted from the City's net sale proceeds of the balance of the site sales in order to re-imburse the Region for the portion of this property sale that would have been received by the Region had the subject land been sold to a third party;

(iii) The parties also agree that as the above financial terms apply to matters and adjustments between the two parties arising both before and after the completion of this particular lot sale to the City of Hamilton, that these financial terms acknowledged and agreed upon herein, shall not merge on closing of this particular lot sale, but shall continue in full force and effect between the parties;

(c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

15. (a) That the following reclassifications in the Building Department be approved as follows:

Job Title	Summary of Duties	From	To
Mgr. of Administration	Monitor and review all procedures and policies related to the administration, operation and budget planning of the Dept. Make recommendations and co-ordinate implementation of same.	"M" $40,640. - $47,819.	"K" $47,412. - $55,811.
Administrative Asst II	Provide confidential secretarial services to the Building Commissioner. Perform as senior secretary in Building Department.	"P" $31,563. - $37,117.	"O" $34,001. - $39,962.

(b) That these reclassifications be retroactive to 1994 March 9, which is the date new duties were assumed as a result of the department's restructuring process.

16. (a) That the City of Hamilton resolve Ontario Court (General Division) 853/93 by the payment to the Plaintiffs, Eunice and Bernard Curley, of the sum of $24,308.70 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 853/93 be dismissed without costs.

17. (a) That the Corporation of the City of Hamilton accept the proposal submitted by Westcoast Gas Services Inc. for the supply of natural gas on a direct purchase basis to all City owned buildings at a price of $1.65/Gigajoule for the period 1994 November 1 - 1995 October 31. This being the lowest of eight proposals received in accordance with specifications issued by the Purchasing Department; and,

AMENDED.

(b) That contracts be entered into in a form satisfactory to the City Solicitor; and,

(c) That as time is of the essence, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

18. That a purchase order be issued to Douglas Construction Co. Caledonia, in the amount of $62,595., including G.S.T., for the electrical/mechanical retrofit of the Main & Norfolk Fire Station, being the lowest of two tenders received in accordance with specifications issued by the Purchasing Department.

19. (a) That the City purchase a 1/4 page space in the 1995 Greater Hamilton Business Directory and Buyer's Guide for a Message of Greeting and promotion for the City's 1996 Sesquicentennial Celebrations, at a cost not to exceed $700.; and,

(b) That funds for this purchase be derived from the City's Advertising Account Number CH 56302 12001.

20. That all Standing Committees and City Council meetings from 1994 November 14 to November 30th be cancelled. **AMENDED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Drury. -2. **CARRIED.**

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen McCulloch, Drury. -2. **CARRIED.**

21. That leave be granted to introduce the following Bill:

D-29 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1994 October 6

Appendix "A" referred to in Section 10 of the **FIFTEENTH** Report of the Finance and Administration Committee for 1994.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. John Brimer	I	Events Electrical/ Electrical Technician (13)	Central Utilities Plant	New Position Council Approved June 28/94	$45,219.20	April 01/92
Ms. Donna Clague	I	Administrative Assistant III (P)	Building	Replacing Ms. P. Harper - retired, Nov. 30/93	$31,563.48 to $37,117.60	Aug. 08/94
Mr. Larry Crooker	I	Sanitation Worker (D15G)	Public Works	Replacing Mr. J. Weber - returned to former position, Aug. 15/94	$36,670.40	Aug. 31/94
Ms. Cathryn Edmonds	I	Collections Clerk (15)	Treasury	Additional Staff - approved by Council June 28, 1994	$33,644.52 to $38,230.92	Sept. 05/94
Mr. Robert Hayes	I	Senior Property Officer (24)	Real Estate	Replacing Ms. A. Cipriani - retired, Nov. 30/94	$43,233.84 to $49,130.64	Aug. 29/94
Mr. Erik Hess	E	Parks Development Superintendent (J)	Public Works	Replacing Mr. W. Plessl - promoted Jan. 03/94	$53,779.96 to $63,398.40	Sept. 19/94

Prepared September 28/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Lorn LeBlanc	I	Caretaker (6-D)	Property	Replacing Mr. T. Mountain - promoted, May 16/94	$27,839.24 to $30,258.80	Aug. 22/94
Mr. Craig Martin	E	Gardener II (D-14)	Public Works	Replacing Mr. S. Abbott - promoted, June 27/94	$36,052.64	Sept. 06/94
Mr. Lorne McArthur	E	Gardener II (D-14)	Public Works	Replacing Mr. J. Green - promoted, Aug. 22/94	$36,052.64	Sept. 06/94
Ms. Sheila Munday	I	Gardener I (D-17)	Public Works	Replacing Mr. P. D'Ambrosio - retired, Dec. 31/93	$36,385.44 to $42,005.60	July 11/94
Mr. Tullio Pianegonda	I	Signs Markings Specialist (11-C)	Traffic	Replacing Mr. A. Gaudet - retired, June 30/94	$28,956.20 to $31,989.88	Sept. 19/94
Mr. Miroslaw Rychlik	E	Gardener II (D-14)	Public Works	Replacing Mr. E. Carreiro - retired, Dec. 31/93	$36,052.64	Aug. 22/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Nello Violin	E	Gardener II (D-14)	Public Works	Replacing Mr. K. Riimand - promoted, June 13/94	$36,052.64	Aug. 15/94
Mr. John Willard	I	Lead Hand/Truck Driver (D-17)	Public Works	Replacing Mr. J. Keenan - resigned, April 04/94	$37,146.72	Sept. 05/94

Prepared September 28/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gunther Ahrens	Labourer	Public Works	Terminated	21 years, 2 months	Aug. 24/94
Mr. Jack Dickeson	Caretaker	Property	Terminated	10 months	Aug. 19/94
Ms. Gloria Garvin	Catering Clerk/Typist	Convention Centre	Resigned	5 years, 4 months	Aug. 16/94
Ms. Betty Goddard	Secretary-Manager Food/Beverage	Convention Centre	Retired	17 years, 1 month	Aug. 31/94
Ms. Patty Ann Smith	Accounting Clerk	Copps Coliseum	Terminated	7 years, 2 months	Sept. 16/94

Prepared September 28/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SEVENTH** Report for 1994 and respectfully recommends:

1. That Bingo Licence No. M207539, issued to the Hamilton Hurricanes Football Club, be revoked immediately and that the Hamilton-Wentworth Regional Police be requested to step up their investigation into the status of missing charitable funds raised by bingo and Nevada games.

   Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

ALDERMAN T. COOKE
CHAIRPERSON
LICENSING COMMITTEE

Stella Glover
Secretary
1994 October 11

URBAN/MUNICIPAL
CA4 ON HBL A05
M 21
1994

Minutes of Hamilton City Council
Tuesday, 1994 October 25
7:30 o'clock p.m.
Council Chamber, City Hall

URBAN MUNICIPAL

NOV 1 1994

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was sung by Andrea Mathew.

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Reverend Wycliff Clarke, Hamilton Church of God (Pentecostal) of Hamilton led Council in prayer.

PRESENTATIONS

(a) Dr. Alfred S. McLaren, President of Science Services presented the City of Hamilton with a plaque respecting the 46th Annual International Science & Engineering Fair.

(b) Mayor R. M. Morrow presented a Congratulation Certificate to Franco, Nicole, Leo and Christina Putignano owners of Shakespeare's Restaurant.

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

(a) "50th Anniversary of the United Nations" Hamilton Branch - October 24th, 1994 (U.N. Day) to December 31st, 1995 - Brian Reed, President of the United Nations.

ADOPTION OF MINUTES

The minutes of the meeting held 1994 October 11 were adopted as circulated.

PETITIONS AND CORRESPONDENCE

1. Petition dated 1994 October 12, from Jim Aquila, 48 Proctor Boulevard respecting 44 Proctor Boulevard in opposition to the issuance of a Second Level Lodging Home licence.

   Referred to the Licensing Committee.

2. Application dated 1994 October 13 from Domenic Carnicelli, Hamilton, Ontario for removal of the "H" Holding Provision from the "HH" (Restricted Community Shopping and Commercial) District, modified, for lands at Nos. 1425 and 1429 Upper James Street, Hamilton, Ontario.

   Received.

3. Application dated 1994 October 7 from Gerald Elborne Coleman and Robert James Coleman, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, for lands located at No. 71 Rymal Road West, Hamilton, Ontario.

   Received.

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT

Section 2 Re: Westdale B.I.A.

It was moved by Alderman Merling and seconded by Alderman Wilson that Section 2 of the Fourteenth Report for 1994 of the Transport and Environment Committee be referred back with direction that the Chief Administrative Officer meet with all parties involved (B.I.A., Traffic, Public Works and Ward Aldermen) on a comprehensive costing report on the proposed re-routing and report back to the Transport and Environment Committee.

Recorded vote.

YEAS: Aldermen Morelli, Wilson, Merling, Anderson, Ross. -5.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Agostino, Eisenberger, Charters, Jackson, D'Amico. -11. **LOST.**

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Section 2 Re: Westdale B.I.A. to approve

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Agostino, Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Morelli, Wilson, Eisenberger, Merling, Anderson, Ross. -6.

CARRIED.

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Section 11 Re: One Hour Parking Time Limit - Fieldway Dr. and Tanger Avenue

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 11 of the Fourteenth Report for 1994 of the Transport and Environment Committee be referred back.

CARRIED.

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Section 19 (c) Re: Negotiations with Hamilton-Wentworth Region - Building Department responsibilities

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 19, sub-section (c) of the Fourteenth Report of the Transport and Environment Committee be amended by adding the following to the beginning of the sentence;

"The inspection of the construction and installation of the sewers for" **CARRIED.**

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Section 23 Re: Permit Parking Regulation - Britannia Avenue

It was moved by Alderman Merling and seconded by Alderman Copps that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of an amendment to the City Traffic By-law No. 89-72.

CARRIED.

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Section 23 Re: Permit Parking Regulation - Britannia Avenue

It was moved by Alderman Copps and seconded by Alderman Wilson that the Fourteenth Report of the Transport and Environment Committee for 1994 be amended by adding the following as Section 23:

"(a) "That a Permit Parking Regulation be implemented on the east side of Fairfield Avenue commencing at a point 368 feet north of Britannia Avenue and extending to a point 18 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-75 A By-law to Amend By-law No. 89-72 to Regulate Traffic."

CARRIED.

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Section 24 Re: No Right Turn on Red - Mall Road and Mohawk Road East.

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of an amendment to the City Traffic By-law No. 89-72.

CARRIED.

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Section 24 Re: No Right Turn on Red - Mall Road and Mohawk Road East

It was moved by Alderman Merling and seconded by Alderman Anderson that the Fourteenth Report of the Transport and Environment Committee for 1994 be amended by adding the following as Section 24:

"(a) That a "No Right Turn on Red" Prohibition be implemented for Northbound Traffic on Mall Road at Mohawk Road East from 8:00 a.m. to 6:00 p.m., Saturdays and Sundays only; and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-76 A By-law to Amend By-law No. 89-72 to Regulate Traffic."

CARRIED.

Section 25 Re: Alternate Side Parking - East Ave. N. between Robert St. and Barton St.E.

It was moved by Alderman Merling and seconded by Alderman Drury that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of an amendment to the City Traffic By-law No. 89-72. **CARRIED.**

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Section 25 Re: Alternate Side Parking - East Ave. N. between Robert St. and Barton St.E.

It was moved by Alderman Merling and seconded by Alderman Drury that the Fourteenth Report of the Transport and Environment Committee for 1994 be amended by adding the following as Section 25:

"(a) That the existing "Alternate Side Parking" regulation on East Avenue North between Robert Street and Barton Street East be replaced with a "No Parking" regulation on the west side and a "Three Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side; and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-77 A By-law to Amend By-law No. 89-72 to Regulate Traffic."

CARRIED.

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Section 26 Re: One Hour Parking Time Limit - East 24th St.

It was moved by Alderman Merling and seconded by Alderman Anderson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of an amendment to the City Traffic By-law No. 89-72. **CARRIED.**

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Section 26 Re: One Hour Parking Time Limit - East 24th St.

It was moved by Alderman Merling and seconded by Alderman Anderson that the Fourteenth Report of the Transport and Environment Committee for 1994 be amended by adding the following as Section 26:

"(a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" Regulation be implemented on the east side of East 24th Street from the North Property Line of No. 105 to the South Property Line of No. 111 East 24th Street; and that the City Traffic By-law 89-72 be amended accordingly; and

(b) That leave be granted to introduce the following Bill:

A-78 A By-law to Amend By-law No. 89-72 to Regulate Traffic." **CARRIED.**

PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT

PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT

Section 1 Re: Upper Kenilworth Avenue (Landron Avenue to Limeridge Rd. E.) - Landscaping

Recorded vote.

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Alderman Copps. -1. **CARRIED.**

RESOLUTIONS

Re: Community Use of Schools - Youth Groups

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 1, sub-section (b) of the Eleventh Report of the Committee of the Whole for 1993 which deals with the 1994 Consolidated User Fees and more specifically the subsidized rates for Board of Education - Community Use of Schools - Youth Groups, be reconsidered. **CARRIED.**

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Re: Community Use of Schools - Youth Groups

It was moved by Alderman Charters and seconded by Alderman Wilson that

(a) That sub-section (b) of Section 1 of the Eleventh Report for 1993 of the Committee of the Whole respecting Community Use of Schools - Youth Groups be referred back to the Parks and Recreation Committee to review the additional fee increase to $25. and reduce the fee to $10. retroactive to 1994 September and effective until 1994 December; and

(b) That the Chief Administrative Officer initiate discussions with the Board of Education on its rental fees for school use by youth groups and report back to the Parks and Recreation Committee. **CARRIED.**

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Re: Community Use of Schools - Youth Groups

Recorded vote on reconsideration of Section 1 (b) of the Eleventh Report of the Committee of the Whole for 1993.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - FIFTEENTH REPORT

Section 3 (c) Re: Durand Markland Heritage Conservation District Plan

It was moved by Alderman Ross and seconded by Alderman D'Amico that Section 3(c) of the Fifteenth Report of the Planning and Development Committee be amended by inserting the following after the word "October" in the third line: "with the exception of the third paragraph of recommendation (13)". **CARRIED.**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Charters, Jackson, Merling, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, Agro, McCulloch. -3. **CARRIED.**

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Section 3 (g) Re: Durand Markland Heritage Conservation District Plan

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as sub-section (g) of Section 3 of the Fifteenth Report of the Planning and Development Committee:

(g) That the third paragraph of recommendation (13) of the Durand Markland Heritage Conservation District Plan reading as follows:

> The present restriction on left-turns into the Heritage Conservation District from James Street should be maintained in order to limit an increase in through traffic,

be referred to the Transport and Environment Committee and Regional Council. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

Section 8 (a) Re: Offer to Purchase - H.S.P.C.A. - Dartnall Road

It was moved by Alderman Ross and seconded by Alderman Wilson that Sub-section (a) of Section 8 of the Sixteenth Report for 1994 of the Finance and Administration Committee respecting the conveyance of City of Hamilton lands to the Hamilton Society for the Prevention of Cruelty to Animals, be deleted. **CARRIED**

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Section 21 Re: Integration of Treasury/Finance Deparatments

It was moved by Alderman Ross and seconded by Alderman Cooke that Sub-section (e) and (f) of Section 21 of the Sixteenth Report for 1994 of the Finance and Administration Committee respecting the appointment of a Treasurer to head the Primary Department and the determination of the Service Provider for an Integrated Treasury and Finance Function, be referred to the next term of Council's Single Tier Administrative Review Steering Committee for consideration.

Recorded vote on Section 21 (e) and (f)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, D'Amico, Ross. -12.

NAYS: Aldermen Morelli, Charters, Jackson, Merling, Anderson. -5. **CARRIED.**

Recorded vote on Section 21 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Morelli, Charters, Jackson, Merling. -4. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF NOVEMBER, 1994

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Agostino be appointed Acting Mayor for the month of November, 1994. **CARRIED.**

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-73, A-74, A-75, A-76, A-77, A-78.
C-54, C-55, C-56.
D-30, D-31, D-32.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Morelli in the chair. (second reading).

A-73, A-74, A-75, A-76, A-77, A-78.
C-54, C-55, C-56.
D-30, D-31, D-32.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted:

A-73, A-74, A-75, A-76, A-77, A-78.
C-54, C-55, C-56.
D-30, D-31, D-32.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-73, A-74, A-75, A-76, A-77, A-78.
C-54, C-55, C-56.
D-30, D-31, D-32.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 10:15 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz,
1994 October 25

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1994 and respectfully recommends:

1. That a three-way stop control be implemented at the intersection at the south end of Fairway Drive and St. Andrews Drive and that the City Traffic By-law 89-72 be amended accordingly.

2. That the Westdale Village B.I.A. proposal for re-routing pedestrian traffic to the north and south sidewalks on King Street between Marion Avenue and Paisley Avenue by removing and relocating the existing cross walk lines and negating pedestrian traffic from the parking meter islands by converting them to garden areas, as well as the implementation of the proposed angle parking, as outlined in Appendix "A" attached hereto, be approved and implemented on a six month trial basis and that the Director of Traffic Services be directed to report back on the implications of this action after the six month trial period.

   Recorded vote.

   YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Agostino, Charters, Jackson, D'Amico. -10.

   NAYS: Aldermen Morelli, Wilson, Eisenberger, Merling, Anderson, Ross. -6.

   CARRIED.

3. (a) That a "Permit Parking" regulation be implemented on the south side of Britannia Avenue between Garside Avenue North and Crosthwaite Avenue North; and,

   (b) That the Director of Traffic Services be authorized to issue upon request, one parking permit per residence to Nos. 276, 278, 280, 282, and 284 Britannia Avenue to a maximum of five permits on the south side of Britannia Avenue between Garside Avenue North and Crosthwaite Avenue North; and,

   (c) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That the existing "No Stopping" regulation on the north side of Britannia Avenue commencing at Archibald Street and extending to a point 59 feet easterly therefrom be shortened such that the regulation commences at Archibald Street and extends to a point 40 feet easterly therefrom; and,

(b) That a "Permit Parking" regulation be implemented on the north side of Britannia Avenue commencing at a point 40 feet east of Archibald Street and extending to Harmony Avenue; and,

(c) That the Director of Traffic Services be authorized to issue upon request, two parking permits per residence to Nos. 283 and 285 Britannia Avenue and one parking permit per residence to Nos. 295 and 297 Britannia Avenue to a maximum of six permits on the north side of Britannia Avenue between Archibald Street and Harmony Avenue; and,

(d) That the City Traffic By-law 89-72 be amended accordingly.

5. That a "Permit Parking" regulation be implemented on the south side of Holmes Avenue commencing at a point 49 feet west of Emerson Avenue and extending to a point 20 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

6. That the existing "Permit Parking" regulation on the west side of Barnesdale Avenue North commencing at a point 151 feet north of King Street East and extending to a point 24 feet northerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

7. That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Allenby Avenue between McElroy Road East and the northerly end of Allenby Avenue and that the City Traffic By-law 89-72 be amended accordingly.

8. That the existing "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Pearson Drive commencing at a point 347 feet south of Mount Pleasant Drive and extending to a point 18 feet southerly therefrom be revised, such that the regulation is in effect on a full-time basis and that the City Traffic By-law 89-72 be amended accordingly.

9. (a) That a "No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Columbia Drive between Verona Place and the north property line of No. 144 Columbia Drive; and,

(b) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the south side of Columbia Drive between Hudson Court and Stacey Avenue; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

10. (a) That the existing "Alternate Side Parking" regulation on East Bend Avenue South between Main Street East and Dunsmure Road be removed; and,

(b) That a "No Parking" regulation be implemented on the east side of East Bend Avenue South commencing at a point 113 feet north of Main Street East and extending to Dunsmure Road; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

11. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Cardinal Drive between Fieldway Drive and Tanager Avenue and that the City Traffic By-law 89-72 be amended accordingly.

REFERRED BACK.

12. That southbound traffic on Kipling Road be required to stop for eastbound and westbound traffic on Glen Road and that the City Traffic By-law 89-72 be amended accordingly.

13. (a) That the existing northbound stop and southbound yield controls at the intersection of Arcade Crescent and Gateview Drive be replaced with eastbound stop control; and,

(b) That the existing northbound yield and southbound stop control at the intersection of Arcade Crescent and Inverness Avenue West be replaced with eastbound and westbound stop controls; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

14. That a School Crossing Guard be assigned to the intersection of Brigade Drive/DiCenzo Drive and Upper Wellington Street during the morning and evening school crossing periods only on a permanent basis.

15. That Section 24 of the First Report of Transport and Environment Committee for 1994 approved by City Council on 1994 January 25 authorizing the sale of rear land abutting municipal address 2058 Barton Street East to Sophie Tchorewski be deleted in its entirety and, replaced by the following in lieu thereof:

(a) That an Offer to Purchase (Highway Closure), duly executed by the abutting homeowners, Joseph and Louisa Farkas, on 1994 October 6, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 October 5, for the purchase of the lands described as part of the alley lying south of Lots 221, 222 and 223 in the block bounded by Brunswick, Barton and Osborne Streets and Melvin Avenue, Registered Plan 593 (Centennial Park Survey), more particularly described as having a width of 1.524 metres (5.0 feet) more or less, by a length of 10.668 metres (35.0 feet) more or less, and comprising a total area of 16.257 square metres (175.0 square feet) more or less, designated as Part 3, and lying directly south of municipal address 2058 Barton Street East, be approved and completed, and the funds derived from this sale of $1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases); and,

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

16. That the following applications to retain inadvertent encroachments and the noted fees and subsequent annual fees, be approved by City Council provided:

(a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

(b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.

Location	Owner	Type of Encroachment	First Year/ Annual Fee	File No.
262 Roxborough	M. & C. Murphy	Steps measuring 0.37m x 1.03m	$158/20.	T103-50 1123
34 Mayflower	G. & K. Berberovic	Steps measuring 2.8' x 3.9'	$158/20.	T103-50 1092
30 Raleigh Court	J. & D. Crawford	Metal shed measuring 2.95m x 1.98m	$158/20.	T103 50 1110

17. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

SHELDON ESTATES", Hamilton

City's Share $92,528. Owner's Share - $ 228,450.

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Sheldon Estates", Hamilton as well as any other related documents for this subdivision subject to the approval of the City Solicitor; and,

(c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

(d) That in the event the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for pre-servicing; and,

(e) That the City's share of services in "Sheldon Estates", Hamilton ($92,528.), be approved and that the Finance and Administration recommend the source of funding for this project.

18. That the Finance and Administration Committee be requested to recommend a source of funds in the amount of $1,391.38 to finance the construction of an independent concrete sidewalk constructed on the south side of Limeridge Road between Upper Sherman Avenue and the Hydro Right-of-Way.

19. That the Building Commissioner be authorized and directed to enter into negotiations with the Hamilton-Wentworth Region for the City of Hamilton's Building Department to assume the following responsibilities:

(a) The inspection of the installation and connection of buildings sewers; and,

(b) The inspection on municipal and regional roads as it relates to sewer cuts and the connection of the building sewer to the public sewer; and,

(c) The inspection of the construction and installation of the sewers for the discharge of water and waste into the sanitary sewer system of the Regional Municipality of Hamilton-Wentworth for the City of Hamilton; and, **AMENDED.**

(d) Inspecting the installation and renewal of water services and backflow prevention systems, which would include any necessary road cuts on regional or municipal roads on behalf of the Regional Municipality of Hamilton-Wentworth; and,

(e) The issuance of permits for the installation of sewers; and,

(f) The issuance of permits for the installation of water supply lines and for the renewal of water services and meter installations.

20. That four-way stop control be implemented at the intersection of West 2nd Street and Brantdale Avenue and that City Traffic By-law 89-72 be amended accordingly.

21. That four-way stop control be implemented at the intersection of Dallas Avenue and East 37th Street and that City Traffic By-law 89-72 be amended accordingly.

22. That leave be granted to introduce the following Bills:

(a) A-73 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(b) A-74 A By-law to Amend By-law No. 89-72 to Regulate Traffic

23. (a) That a Permit Parking Regulation be implemented on the east side of Fairfield Avenue commencing at a point 368 feet north of Britannia Avenue and extending to a point 18 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-75 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **ADDED.**

24. (a) That a "No Right Turn on Red" Prohibition be implemented for Northbound Traffic on Mall Road at Mohawk Road East from 8:00 a.m. to 6:00 p.m., Saturdays and Sundays only; and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-76 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **ADDED.**

25. (a) That the existing "Alternate Side Parking" regulation on East Avenue North between Robert Street and Barton Street East be replaced with a "No Parking" regulation on the west side and a "Three Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side; and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That leave be granted to introduce the following Bill:

A-77 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **ADDED.**

26. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" Regulation be implemented on the east side of East 24th Street from the North Property Line of No. 105 to the South Property Line of No. 111 East 24th Street; and that the City Traffic By-law 89-72 be amended accordingly; and

(b) That leave be granted to introduce the following Bill:

A-78 A By-law to Amend By-law No. 89-72 to Regulate Traffic. **ADDED.**

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1994 October 17

Appendix "A" as referred to in
Section 2 of the Fourteenth Report
of the Transport and Environment
Committee for 1994

1994 October 25

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1994 and respectfully recommends:

1. (a) That this year's Winterfest be held from 1995 February 10 to February 12, within a format which provides family activities for all ages and interests; and,

   (b) That, as required by Sections 5, 20 and 47 of Parks By-law 77-221, approval be given to allow that Chedoke Winter Sports Park be the headquarters to host large scale events such as a Bon Fire, Horse and Wagon Rides, Dog Weight Pull and Mountain Bike race in addition to the various satellite locations across the City.

2. That approval be given of the action taken by the Interim Director of Culture and Recreation in waiving the rental fee for the Hamilton Touch Football Association Championship Day held at Mohawk Sports Park 1994 October 1.

3. That the Program and Space Parameter Report for the Crystal Palace Project as prepared by the Building Sub-Committee of the New Crystal Palace Sub-Committee as outlined in Appendix "A" attached hereto, be approved and forwarded to the Art Gallery of Hamilton for inclusion in its plans for expansion.

4. (a) That the Agreement for Temporary Use of City Lands, executed by Canadian Pacific Limited on 1994 August 30, for the sole purpose of access over part of Kay Drage Park for the construction/maintenance or repair of the CP Rail trackage for GO Transit service to Hamilton during the hours 7:00 a.m. to 6:00 p.m. Monday to Saturday, for the period extending from the date of City Council approval until 1995 September 30, be approved; and,

   (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

5. That the Mayor and City Clerk be authorized and directed to execute a Partial Release of Licence Agreement with Ontario Hydro, in a form satisfactory to the City Solicitor, for the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton, more particularly described as part of Lots 9 and 10, Concession 7, containing 0.030 hectare (0.074 acre) more or less, shown as Part 23 on Plan 62R-

11742, located in the Rushdale Neighbourhood, south of the East-West Freeway between Upper Sherman Avenue and Upper Wentworth Street.

6. (a) That staff be authorized to restore the former bedroom of the Honourable Thomas Baker McQuesten, in celebration of Hamilton's Sesquicentennial and Whitehern's Twenty-Fifth Anniversary pending budget approval; and,

(b) That staff be authorized to apply for assistance through the Canadian Conservation Institute Artifact Treatment Programme.

7. (a) That approval be given for the purchase of an historical/commemorative plaque commemorating the "British Empire Games/James Gilmour Thompson"; and,

(b) That the wording for the two-sided plaque as outlined in Appendix "B" attached hereto, be approved; and,

(c) That the plaque be installed in front of the Jimmy Thompson Memorial Swimming Pool facing King Street; and,

(d) That the plaque and installation be paid for out of Account No. CH55976 71505.

8. (a) That the Acting Director of Public Works be directed to pursue a location and the feasibility of establishing an annual programme wherein the logos for the Cities that the City of Hamilton is twinned with are planted in a floral display; and,

(b) That pictures of the floral logo are taken and forwarded to the City of Hamilton's Twin City.

9. (a) That the contract for the Inch Park and Parkdale Arenas Renovations and Additions projects with P.B.K. Architects and Engineers Ltd. be increased from $256,000. (includes $15,085. G.S.T.) to $295,000. (includes $17,635. G.S.T.) to reflect the increase in the construction cost approved by City Council at its meeting of 1994 October 11. This increase was reflected in the revised project cost previously approved.

(b) That the contract amendment be prepared in a form satisfactory to the City Solicitor.

(c) That the Mayor and City Clerk be authorized to execute the contract amendment on behalf of the City.

10. (a) That City Council reaffirm its position to continue to operate the Chedoke Ski Hill facility over the 1994 - 1995 season with no adjustments from the previous year's operations exclusive of previously approved fee increases; and,

(b) That the Acting Director of Public Works be directed to consider alternative operating/management procedures for the "Chedoke Ski Operations" to reduce or eliminate the operating expenses and report back to the Parks and Recreation Committee not later than 1995 March 31; and,

(c) That Sub-section (b) of Section 7 of the Third Report of the Parks and Recreation Committee for 1994 adopted by City Council at its meeting held 1994 February 22 which provided for the creation of a Task Force to consider alternative operating/management procedures for the "Chedoke Ski Operations" to reduce or eliminate the operating expenses and report back to the Parks and Recreation Committee prior to the 1994 - 1995 ski season, be rescinded.

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary
1994 October 18

Appendix "A" as referred to in Section 3 of the Seventeenth Report of the Parks and Recreation Committee for 1994

PROVISIONAL DRAFT PROPOSAL - 2

THE NEW CRYSTAL PALACE

BUILDING SUB-COMMITTEE

BUILDING USAGE

- annual floral shows (chrysanthemum and a maximum of three major horticultural displays)
- sculptural/art exhibits
- civic receptions and other gatherings
- permanent horticultural displays
- cultural events, concerts, openings, conventions
- linkage to adjacent facilities ie. Hamilton Place, Convention Centre, City Hall, Art Gallery, Copps Coliseum and Board of Education
- alternative/rain site for events and rallies planned for City Hall forecourt

PREMISE

- the parameters and program would be modified dependant upon use and relationships with adjacent facilities

PROGRAM

1. CONSERVATORY

A. MAJOR DISPLAY AREA

- a total area of 10,000 sq.ft. consisting of three component areas (5,000 + 2,500 + 2,500 sq.ft.)
- potential for sharing with Art Gallery of Hamilton
- consisting of a variety of levels/terraces and balconies
- maximize the exposure/impact from Main Street
- a multi purpose space
- a direct relationship/connection to the entrance

B. PERMANENT HORTICULTURAL DISPLAY

- 5,000 sq. ft. consisting of a focal point area and several secondary areas
- permanent planting areas interspersed throughout the entire facility as both moveable and "in ground" features
- some of these plantings would be static displays while others would vary with the season and/or current display

C. V.I.P. ROOM

- 1,500 sq. ft.
- potential for sharing with Art Gallery of Hamilton
- reception and meeting room for visiting dignitaries and V.I.P.'s
- readily accessible to entrance and Major Display Area
- adjoining washroom
- potential for naming through a major donor
- readily accessible to the Food Facility

D. COURTYARD

- exterior site development with site amenities including hard and soft landscape components
- opportunity for permanent outdoor art display

.....gross floor area 16,500 sq. ft.

2. ANCILLARY USES

A. ENTRANCE

- 2,500 sq.ft. with provisions for primary entrance area, coat check, information area
- potential for sharing with Art Gallery of Hamilton
- accessibility opportunity to outside courtyard
- directly connected to Art Gallery of Hamilton and Major Display Area
- access to elevators, parking and second floors

B. LINKAGES

- 2,000 sq. ft.
- connection/linkage to all adjacent facilities
  - Art Gallery of Hamilton
  - Hamilton Place
  - Convention Centre
  - Parking
- joint developmental potential with adjacent facilities
- direct access to Entrance

C. GIFT SHOP

- 1,500 sq. ft.
- potential for sharing with Art Gallery of Hamilton
- adjacent to Entrance and Food Facility
- plants and trademark sales area with storage area

D. FOOD FACILITY

- 2,000 sq. ft., seating with tables and chairs and food preparation area
- potential for sharing with Art Gallery of Hamilton
- preferred alignment in a raised viewing balcony overlooking the Major Display Area
- directly related to Gift Shop Entrance and washrooms

E. ADMINISTRATION

- 400 sq. ft. of horticultural office space for permanent and volunteer staff

- office, technical equipment could be shared with Art Gallery of Hamilton

F. WASHROOMS

- 700 sq. ft.
- potential for sharing with Art Gallery of Hamilton
- adjacent to Entrance and Food Facility

..... gross floor area 9,000 sq.ft.

3. SERVICES

- 2,000 sq. ft.
- shipping and receiving
- temporary holding area
- potting and maintenance area
- truck access directly to elevator

..... gross floor area 2,000 sq. ft.

4. MECHANICAL/ELECTRICAL

- 2,000 sq. ft.
- heating, cooling, humidity, electrical security system with consideration to the creation of an environment for optimum plant growth
- system should be independent of those of the Art Gallery of Hamilton

..... gross floor area 2,000 sq. ft.

Total Gross Floor Area 29,600 sq. ft.

August 3, 1994

Appendix "B" as referred to in Section 7 of the Seventeenth Report of the Parks and Recreation Committee for 1994

James Gilmour Thompson

(1906-1965)

Known locally as "Mr. Swimming", James Gilmour Thompson (1906-1965) was one of Hamilton's most famous sports figures of his day.

Born in Dundee Scotland, Thompson was a competitive swimmer, appearing in the 1930 British Empire Games and the 1932 Olympic Games.

In 1933, Thompson became the first coach of the Hamilton Aquatic Club, an organization which under his leadership eventually won 92 national and 205 provincial swimming titles.

As manager and swimming instructor of the Municipal Swimming Pool, Jimmy Thompson is credited with teaching over 60,000 local children how to swim.

In 1971, the swimming pool, where Jimmy Thompson taught swimming, sportsmanship and citizenship with energy and dedication for over 30 years, was renamed the Jimmy Thompson Memorial Swimming Pool in his honour.

British Empire Games

August 16-30, 1930

The first British Empire Games (forerunner of the Commonwealth Games) were held in Hamilton during the week of August 16 to 23, 1930.

Beginning with an idea conceived by Melville Marks (M.M.) Robinson, the Games involved over 400 athletes from Australia, New Zealand, South Africa, Scotland, England, Wales, Bermuda, British Guiana, Newfoundland, Northern Ireland and Canada.

Competing for gold, silver and bronze medals, the athletes participated in the following events; track and field, rowing, boxing, wrestling, swimming, diving and lawn bowling.

To accommodate the competitions, the nearby Civic Stadium (later Ivor Wynn Stadium) and the Municipal Swimming Pool (later the Jimmy Thompson Memorial Swimming Pool) were constructed.

Appendix "B" as referred to in Section 7 of the Seventeenth Report of the Parks and Recreation Committee for 1994

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To accommodate the competitions, the nearby Civic Stadium (later Ivor Wynn Stadium) and the Municipal Swimming Pool (later the Jimmy Thompson Memorial Swimming Pool) were constructed.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **EIGHTEENTH** Report for 1994 and respectfully recommends:

1. (a) That the Parks and Recreation Committee consider for inclusion in the ten year 1995 - 2004 Provisional Capital Budget the landscaping of a ± 8.0m wide area on the east side of Upper Kenilworth Avenue (Landron Avenue to Limeridge Road East) at an estimated cost of $74,000.; and,

   (b) That the City Management Team include this item in its Capital Budget Submission to Committee of the Whole and City Council for consideration.

Recorded vote.

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Alderman Copps. -1. **CARRIED.**

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson, Secretary
1994 October 25

The following resolution was adopted:

(a) That sub-section (b) of Section 1 of the Eleventh Report for 1993 of the Committee of the Whole respecting Community Use of Schools - Youth Groups be referred back to the Parks and Recreation Committee to review the additional fee increase to $25. and reduce the fee to $10. retroactive to 1994 September and effective until 1994 December; and

(b) That the Chief Administrative Officer initiate discussions with the Board of Education on its rental fees for school use by youth groups and report back to the Parks and Recreation Committee. **ADDED.**

Resolution Re: Community Use of Schools - Youth Groups

Recorded vote on reconsideration of Section 1 (b) of the Eleventh Report of the Committee of the Whole for 1993.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: Alderman Jackson. -1. **CARRIED.**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1994 and respectfully recommends:

1. (a) That approval be given to Zoning Application 94-02, Timothy Canadian Reformed Society of Hamilton, owner and prospective owner, requesting changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1"); from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified (Blocks "2" and "3"); and, from "DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District (Block "4"), to permit the development of the subject lands for single-family detached dwellings (Blocks "1" and "4"), and to consolidate lands and provide access onto the proposed Crerar Drive for the lands to the south (Blocks "2" and "3"), shown on the attached map marked as APPENDIX "A", on the following basis:

   (i) That Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District; and,

   (ii) That Blocks "2" and "3" be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified; and,

   (iii) That Block "4" be rezoned from "DE" (Low Density Multiple Dwellings) District, modified, to "C" (Urban Protected Residential, etc.) District; and,

   (iv) That Schedule "A" of By-law No. 82-53, as amended by By-law No. 83-54, be further amended to include a revised Schedule "A" incorporating Blocks "2" and "3", and deleting Block "4"; and,

   (v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-787a on Blocks "2" and "3", and that the subject lands on Zoning District Map E-18C be notated S-787a; and,

   (vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council; and,

(vii) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(viii) That the Crerar Neighbourhood Plan be amended to redesignate part of Block "1" north of the proposed Crerar Drive from "Civic & Institutional" to "Single & Double Residential"; redesignate Block "3" from "Single & Double Residential" to "Low Density Apartments"; and, redesignate Block "4" from "Low Density Apartments" to "Single & Double Residential" as outlined on APPENDIX "B" attached.

(b) That approval be given to application 25T-94001, Timothy Canadian Reformed School Society of Hamilton and Canadian Reformed Society For A Home for the Aged Inc., owners, to establish a draft plan of subdivision in the area north of Stone Church Road East and Upper Wentworth Street, subject to the following conditions:

(i) That approval apply to the plan prepared by A. J. Clarke and Associates Ltd. dated 1994 January 24, and red line revised showing 27 lots for single family dwellings, and various blocks for road and future development purposes; and,

(ii) That the final plan conform with the Zoning By-law approved under the Planning Act; and,

(iii) That the streets be dedicated to the City of Hamilton as public highways in the final plan; and,

(iv) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority; and,

(vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan; and,

(vii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes; and,

(viii) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future expansion of the road allowances or development of abutting lands; and,

(ix) That the plan not be registered until sewer and water services are available; and,

(x) That the owner be required to dedicate sufficient lands adjacent to Lot 27 to the Region to establish the property line 15.24m from the centreline of the original Stone Church Road road allowance to provide for the designated road allowance width of 30.48m; and,

(xi) That the status of the 9.14m easement in favour of the Region over Lot 27 and lands to the north be determined prior to the approval of these lots and blocks; and,

(xii) That Crerar Drive must align centreline to centreline with matching street radii with Crerar Drive on the draft approved Falconstone draft plan of subdivision to the east. The street location and radii of Crerar Drive in the Falconstone plan of subdivision must align with Crerar Drive as established by Plan of Subdivision 62M-728; and,

(xiii) That the horizontal curve on Crerar Drive between Lots 1 to 15, inclusive, be revised to the satisfaction of the Regional Roads Department; and,

(xiv) That prior to any development of lands within this draft plan of subdivision, Crerar Drive from the easterly limits of the subdivision to the westerly limits of the subdivision be established as a public highway and constructed to its full width and that all costs associated with the construction of the road and municipal servicing for both sides of Crerar Drive be paid up front by the applicant/owner; and,

(xv) That a second public street access connection must be established and constructed to its full width from the extension of Crerar Drive to either Stone Church Road or Upper Wentworth Street; and,

(xvi) That the north-south street adjacent to Lot 1 and Block 43 must be established at 20m and the west street line must be parallel to the east limit of the street as approved in the Falconstone plan of subdivision; and,

(xvii) That all existing structures within the proposed Crerar Drive road allowance be removed and relocated to private property; and,

(xviii) That Blocks 28 to 43, inclusive, and Block 48 must be developed in conjunction with the adjoining lands; and,

(xix) That the applicant be required to enter into subdivision agreements with both the City and Region prior to the development of any portion of these lands; and,

(xx) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton; and,

(xxi) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(c) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-91014), Timothy Canadian Reformed School Society of Hamilton and Canadian Reformed Society For A Home for the Aged Inc., owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

2. That Section 3.B. of the Eighteenth Report of the Planning and Development Committee for 1993, respecting Zoning Application 93-16, Diana Marie Hubbard and Edith Held, owners, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, modified, requiring the registration of mutual right-of-way agreements, as a condition of rezoning, for lands located at No. 1367 Upper James Street, as shown on the attached map marked as APPENDIX "C", be repealed in its entirety.

3. (a) That City Council give approval to designate by By-law, the Durand-Markland Heritage Conservation District under Part V of the Ontario Heritage Act; and,

(b) That the City Solicitor be authorized and directed to take the appropriate action to have this District designated pursuant to the provisions of the Ontario Heritage Act, 1983; and,

(c) That City Council adopt the Durand Markland Heritage Conservation District Plan, as prepared by Unterman McPhail Cuming Associates and Wendy Shearer Landscape Architect Limited dated 1994 October with the exception of the third paragraph of recommendation (13) (copies of which were distributed at the meeting and to all Members of City Council and are available from the Secretary upon request); and,

AMENDED.

(d) That the implementation strategies for the Durand-Markland Heritage Conservation District Plan be undertaken by the appropriate departments and agencies; and,

(e) That the recommendations for heritage policies, as contained in the Durand-Markland Heritage Conservation District Plan, be referred to the Planning and Development Department for consideration in the review of the City of Hamilton Official Plan in 1995; and,

(f) That the recommendations for permitting additional tree species for public property in the Durand-Markland Heritage Conservation District be referred to the Public Works Department for review and consideration.

(g) That the third paragraph of recommendation (13) of the Durand Markland Heritage Conservation District Plan reading as follows:

> The present restriction on left-turns into the Heritage Conservation District from James Street should be maintained in order to limit an increase in through traffic,

be referred to the Transport and Environment Committee and Regional Council.

ADDED.

Recorded vote on amendment to Section 3(c)

YEAS: Mayor Morrow, Aldermen Drury, Morelli, Wilson, Charters, Jackson, Merling, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, Agro, McCulloch. -3. **CARRIED.**

4. (a) That approval be given to the Environmental Impact Statement Waiver, on behalf of Dicenzo Construction, to permit the development of the subject lands for a single-family dwelling, for the lands located on the west side of Kimberly Drive, north of the intersection of Dundonald, as shown on the attached map marked as APPENDIX "D"; and,

   (b) That the City Clerk be requested to forward a copy of Council's decision to the Regional Clerk and the Niagara Escarpment Commission.

5. That Item 7.A.(a)(i)(1) of the Twenty-First Report of the Planning and Development Department to City Council on 1992 December 8, respecting Zoning Application ZA-92-39 by Pane Del Sole Bakery (Mr. Gaetano Lattuca), owner, of lands at 150 Catharine Street North, be amended as follows:

   (i) amend Item 7.A.(a)(i)(1) by deleting it in its entirety and replacing it with the following:

      "(1) That a landscape planting strip having a minimum width of 1.0 m shall be provided and maintained along the northerly lot line, except for any area used for vehicular access."

6. That the Building Commissioner be authorized and directed to implement a pro-active enforcement program for the repair or demolition of fire damaged buildings within the City of Hamilton.

7. That a Heritage Permit be approved for the construction of a garage as depicted on the Site Plan, Floor Plan, and Elevations, attached hereto and marked as Appendix "E", at 113 Charles Street in the MacNab-Charles Heritage Conservation District.

8. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, nine hundred and ninety five dollars ($1,995.) be approved for Zona Wright, 30 Glamis Court. The interest rate will be 8 per cent amortized over 5 years.

9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and sixty three dollars ($1,563.) be approved for Vincent Arsenault and Mildred Arsenault, 49 Beach Road. The interest rate will be 8 per cent amortized over 5 years.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, two hundred and thirty-one dollars ($1,231.) be approved for Dorothy Thomas, 28 Case Street. The interest rate will be 8 per cent amortized over 5 years.

11. That the Downtown Hamilton B.I.A.'s request for the purchase and installation of banners under the 1994 Commercial Improvement Programme be approved at an estimated cost of $15,400. and be financed from Account No. CF 5698 428705006.

12. That leave be granted to introduce the following Bills:

    (a) C-55 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 76-312 respecting land located at Municipal No. 180 Walnut Street South

    (b) C-56 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 79-255 respecting land located at the rear of Municipal No. 1200 Upper James Street

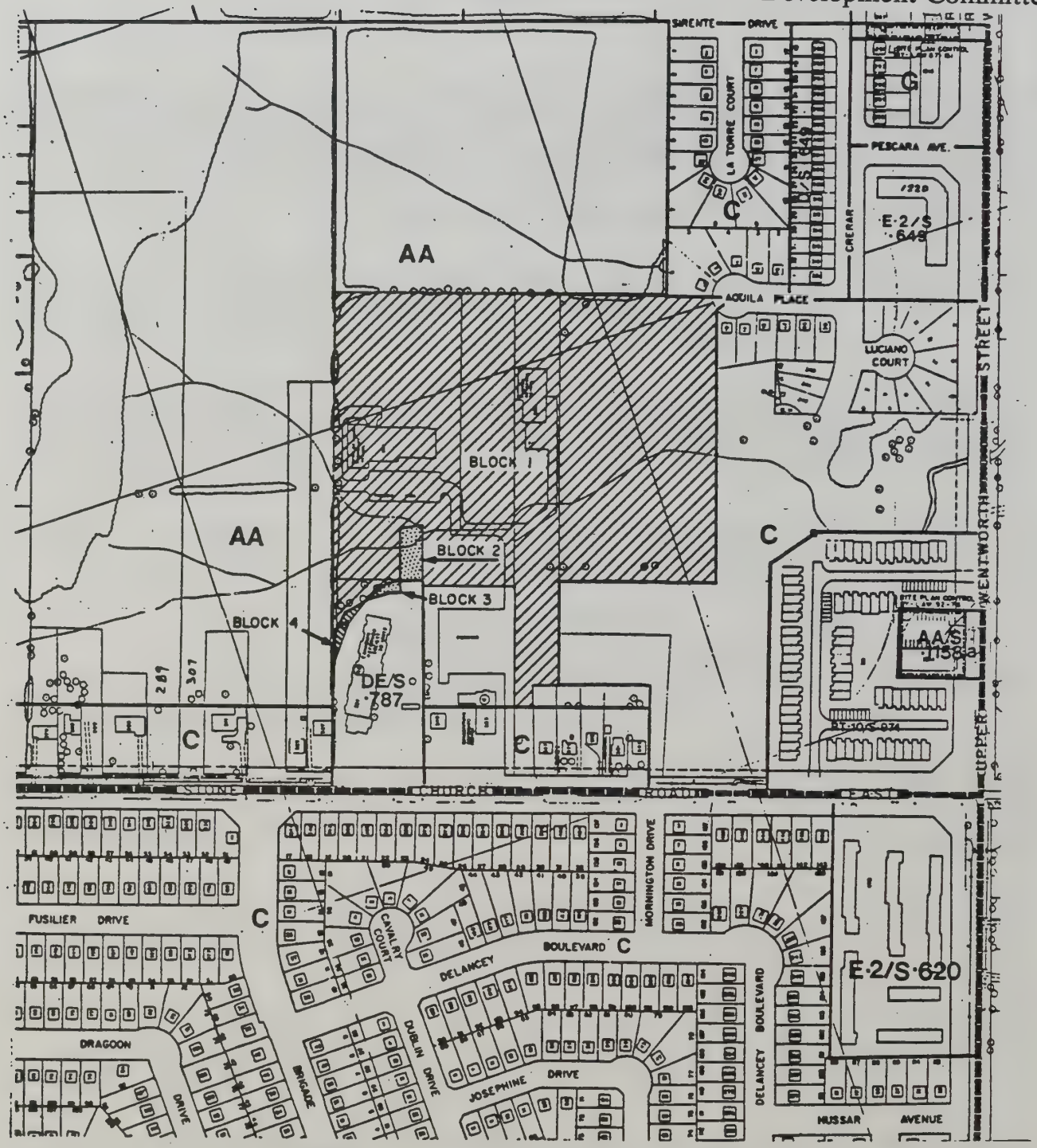
    (c) C-57 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2535 King Street East

Respectfully submitted,

ALDERMAN DON DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene Touzel
Secretary
1994 October 19

Appendix "A" as referred to in Section 1. (a) of the FIFTEENTH Report of the Planning and Development Committee for 1994



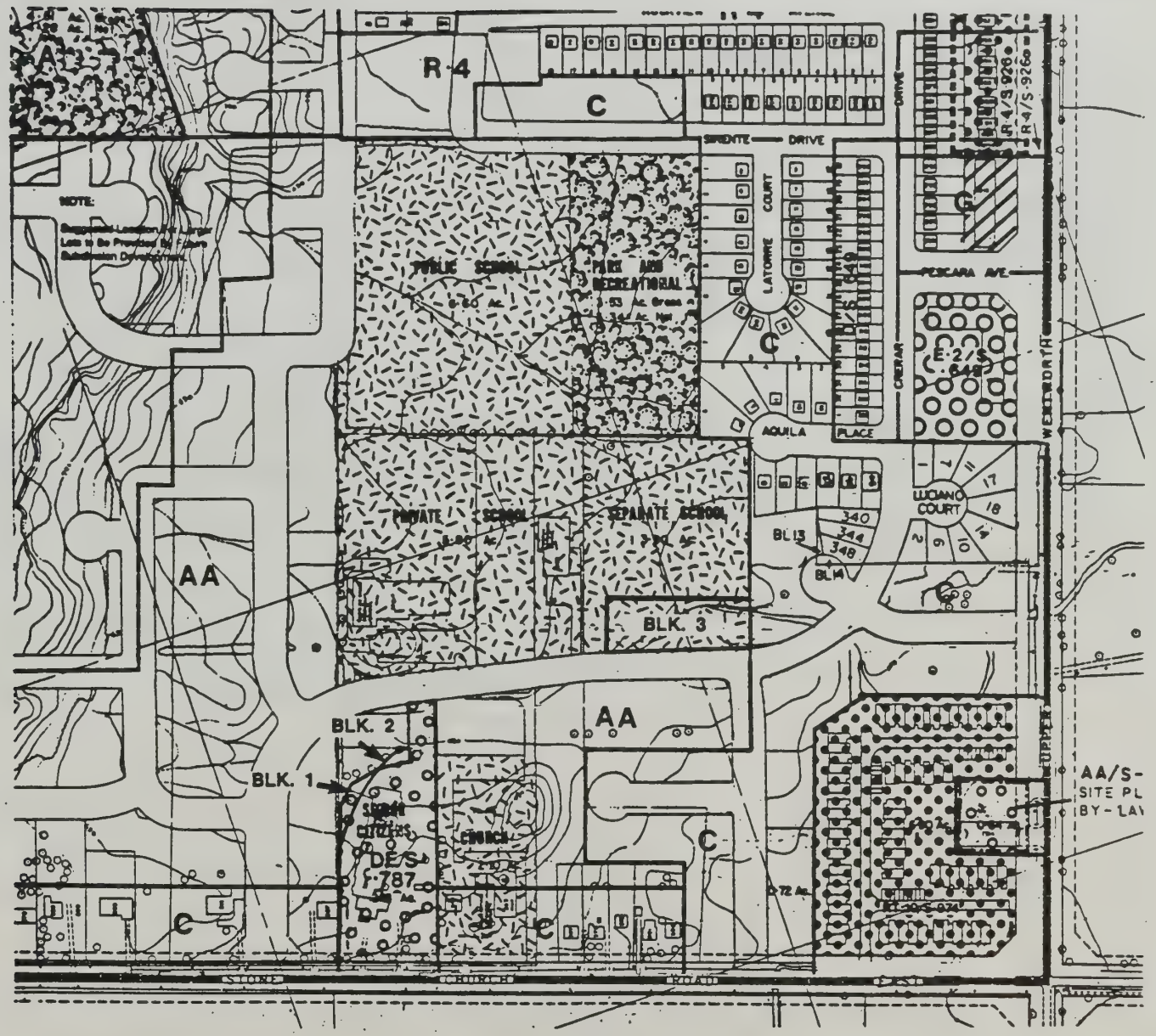
Legend

Proposed changes in zoning from:

BLOCK 1		"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District
BLOCKS 2 AND 3		"AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified.
BLOCK 4		"DE" (Low Density Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District.

ZAC - 94 - 02

Appendix "B" as referred to in Section 1. (a) (viii) of the FIFTEENTH Report of the Planning and Development Committee for 1994



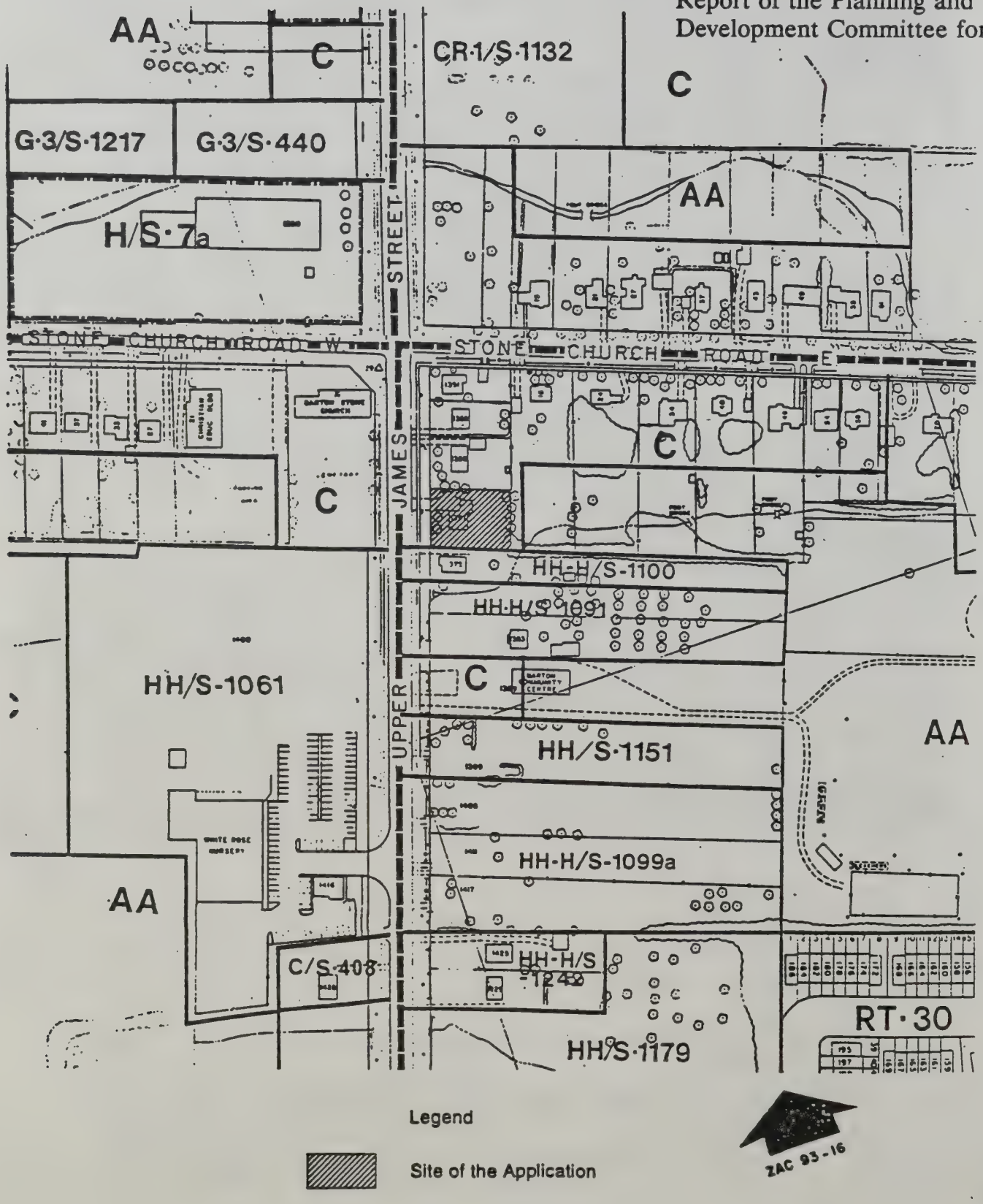
Legend

Proposed changes:

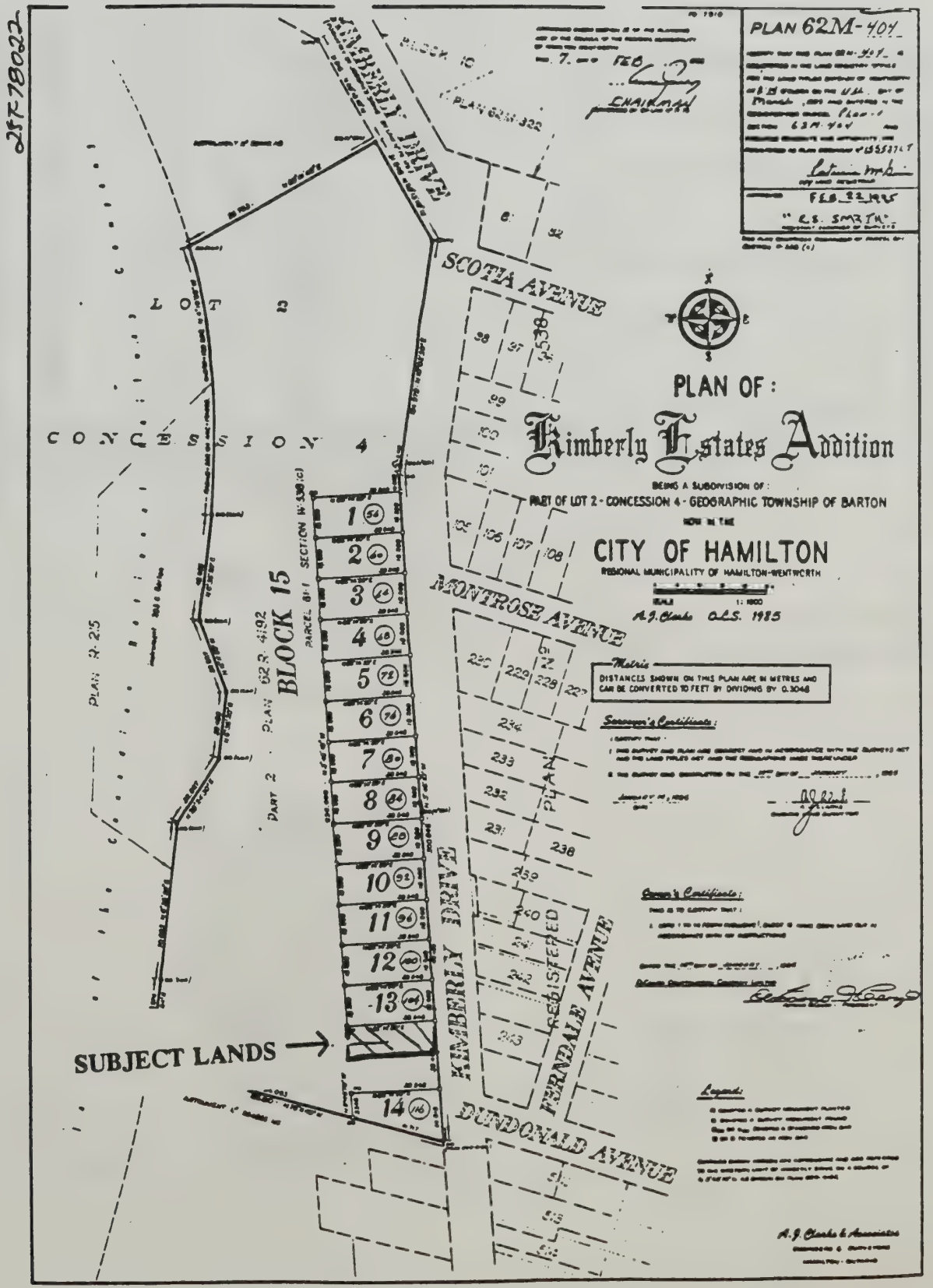
ZAC-94-02

BLOCK 1		"Low Density" to "Single & Double"
BLOCK 2		"Single & Double" to "Low Density Apartments"
BLOCK 3		"Civic & Institutional" to "Single & Double"

Appendix "C" as referred to in Section 2 of the FIFTEENTH Report of the Planning and Development Committee for 1994



Appendix "D" as referred to in Section 4. (a) of the FIFTEENTH Report of the Planning and Development Committee for 1994



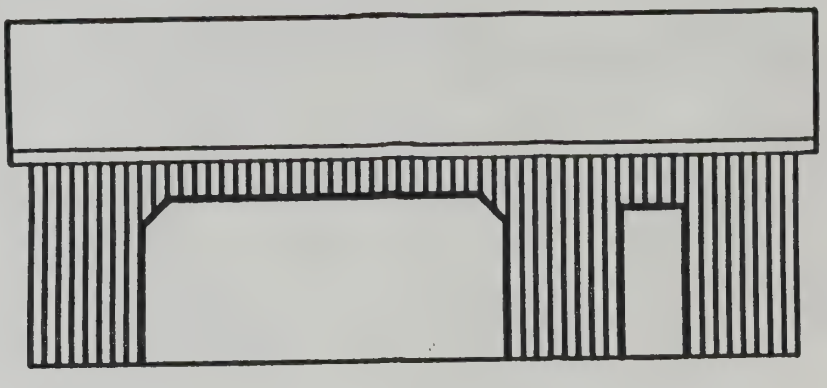
Appendix "E" as referred to in
Section 7 of the FIFTEENTH
Report of the Planning and
Development Committee for 1994
October 25

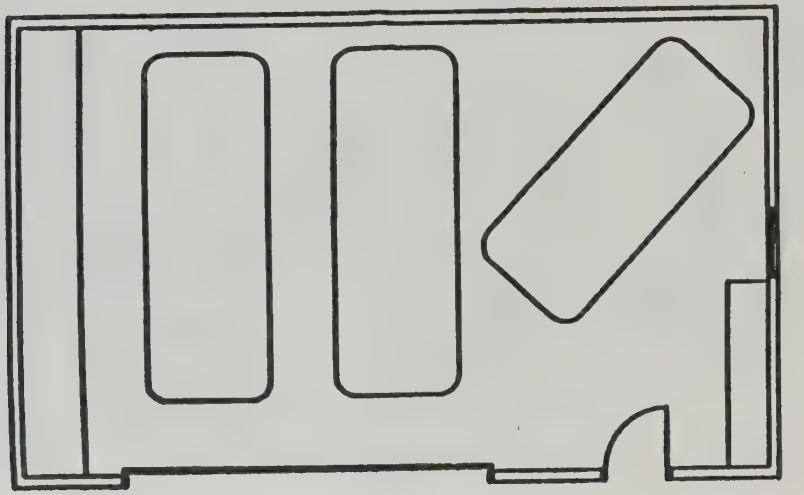
Proposed Garage for the Nelson Residence, 111–113 Charles Street

Exterior siding: board-and-batten

Garage door: overhead type (wood or metal)

Roofing: cedar or asphalt shingles

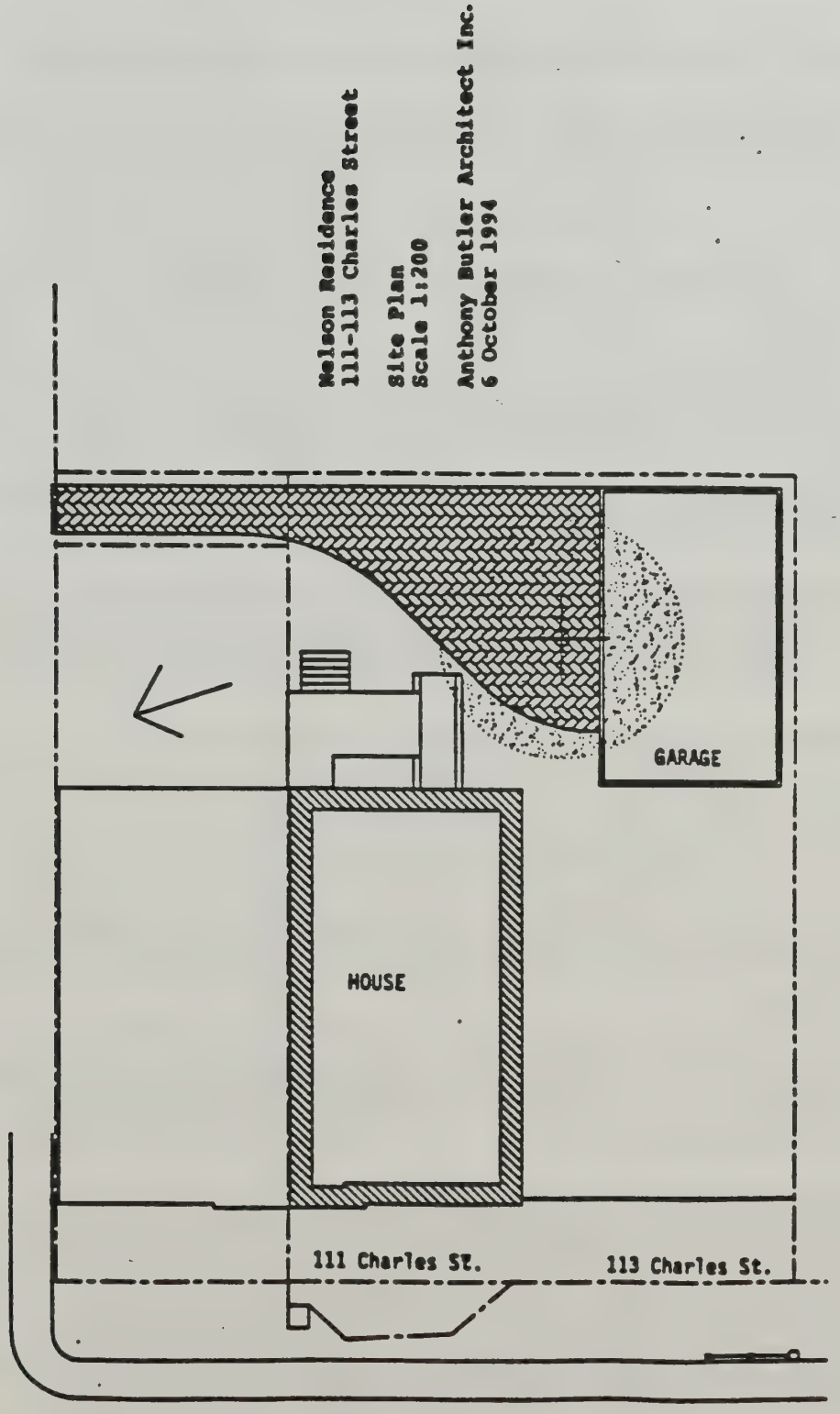




Nelson Residence
111-113 Charles Street

Garage Plan
Scale 1:100

Anthony Butler Architect Inc.
6 October 1994


Nelson Residence
111-113 Charles Street
Site Plan
Scale 1:200
Anthony Butler Architect Inc.
6 October 1994
GARAGE
HOUSE
111 Charles St.
113 Charles St.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1994 and respectfully recommends:

1. (a) That the Barrier Free Design standards, adopted by Regional Council, at its meeting held 1994 October 4, be adopted by Hamilton City Council; and,

   (b) That the said standards be mandatory for all newly constructed, retrofitted buildings owned, leased or funded, partially or fully, by the City of Hamilton; and,

   (c) That the affected Departments be requested to review their previously authorized and future project budgets and make recommendations to their respective Standing Committees regarding any increased cost of a project as a result of (b) above; and,

   (d) That the Corporation of the City of Hamilton, through the project management function in the Property Department, be given the authority to ensure compliance with the said standards during the pre-planning, design, construction documents preparation and the contract administration phase; and,

   (e) That the City Solicitor, the Building Department and the Property Department form a task force to investigate the legislative requirements to adopt these standards on a provincial level; and,

   (f) That staff of the Architectural Division, Property Department, be authorized to review the said standards every 3-5 years to maintain its status with technology and construction advancements.

2. (a) That approval be given to the request of St. Joseph's Hospital to use the City Hall forecourt and first floor washrooms on Sunday, 1994 November 27 from 10:30 a.m. - 12:30 p.m. for the St. Joseph's Jingle Bell Run/Walk; and,

   (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

3. (a) That approval be given to the request of the organizers of the Hamilton Hallowe'en Run to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 30 from 12:00 noon - 2:00 p.m. on the occasion of the Hamilton Hallowe'en Run; and,

(b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

4. That approval be given to the action taken by the City Clerk in granting the request of the Settlement and Integration Services Organization to use the City Hall forecourt and related equipment together with access to the first floor washrooms on Sunday, 1994 October 16 from 10:00 a.m. - 2:00 p.m. during a Walkathon for Rwanda.

5. (a) That approval be given to the request of the Status of Women Sub-Committee to use the second floor foyer, east and west ends, from 1995 March 5 to 11 for a display of Women's Art during International Women's Week; and,

(b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

6. That as referred to in Section 18 of the Fourteenth Report for 1994 of the Transport and Environment Committee, the City's share of financing required in the amount of $1,391.38 for additional financing for Local Improvements closed in 1991 be funded from the Reserve for Capital Projects, Account Centre No. CH 00203.

7. That as referred to in Section 17 of the Fourteenth Report for 1994 of the Transport and Environment Committee, the City's share of financing for "Sheldon Estates" Servicing, at a cost of $92,528., be funded from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

8. (a) That the Offer to Purchase executed by the officials of The Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) for conveyance by the City of Hamilton of Lots 8, 9, 10 and 11 plus Block 12 (subject to an easement in favour of Trans Canada PipeLine Limited) Plan 62M-658, having a frontage of 151.4 metres (496.72 feet) along the eastern limit of Dartnall Road by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) having an area of 1.536 hectares (3.795 acres) for the sum of $1. be approved and completed; and, **DELETED.**

(b) That the Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) be exempt from the City policy of having to provide a security deposit for its site plan agreement and that the City accept, in its place, the SPCA's agreement that default under the site plan agreement be treated as default under its Infra funding Agreement with the City; and,

(c) That the Mayor and City Clerk be authorized to execute an Infrastructure Funding agreement with the SPCA providing the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed. Such agreement shall also provide that when the Society submits its claim, the City will advance the funding, pending reimbursement under the Infra program, to enable the Society to maintain its cash flow. The funding agreement shall be in a form satisfactory to the City Treasurer and the City Solicitor and shall also include the following matters:

(i) The SPCA shall assume all costs of the project not covered by the Infra monies; and,

(ii) The SPCA shall hire its architect, its contractor and other advisers on such terms and upon such contract form and terms as the SPCA and its advisers consider appropriate, including CCDC contract forms, prequalification procedures, performance, labour and material bonds, subject to the following exceptions: all contracts shall be subject to the City's fair wage policy; the City's local preference policy and all contracts shall be subject to requirements of the Canada/Ontario Infrastructure Program.

9. That the request from Carmen's Catering Ltd. to sell Nevada tickets to support the fundraising efforts of the YMCA at its leased location in the City Hall Cafeteria be approved.

10. (a) That Section 21(d) of the Fourteenth Report for 1993 of the Finance and Administration Committee, adopted by City Council on 1993 July 27, which reads as follows: "That the Junior Achievement of Hamilton-Wentworth be allowed to lease approximately 6,379 square feet in the Upper Wentworth Composite Building", be rescinded; and,

(b) That as the Upper Wentworth Composite Building is surplus to the City's needs, the Director of Property be authorized to proceed to dispose of this property.

11. That the City of Hamilton convey its support and endorsement to the Central West Emergency Helicopter Committee for its efforts to raise funds to purchase an Emergency Services Helicopter for the Hamilton area.

12. That outstanding business taxes in the amount of $400,406.61 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH53401 24106, Tax Write-offs.

13. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

    (i) 1221 Stone Church Road East
    (ii) 17 Clare Avenue
    (iii) 227 Mary Street
    (iv) 72 Stone Church Road West
    (v) 97 Aikman Street
    (vi) 151 Kingslea Drive

    (b) That the Mayor and City Clerk be authorized to execute the By-law and extension agreements.

14. (a) That the Director of Public Works be authorized to approach wheelchair tire manufacturers to recommend that the quality of wheelchair tires be upgraded to be more sidewalk worthy; and,

    (b) That Regional Council be requested to refer this issue to its Regional Advisory Committee for Persons with Physical Disabilities for its participation in this approach.

15. (a) That the City of Hamilton purchase a table of 10 at a cost of $600. for the 1994 Induction Ceremonies and Dinner for the Hamilton Gallery of Distinction to be held on Wednesday, 1994 November 9, at the Hamilton Convention Centre; and,

    (b) That funding for this expenditure be charged to the Unclassified Account No. CH55113 24201.

16. (a) That the City of Hamilton host the Awards Night Ceremony during the International Society for Aerosols in Medicine (ISAM), at a cost not to exceed $5,000., in 1995 May; and,

(b) That funds for this expenditure be financed from the 1994 Account No. CH55314 84010 - Special Civic Receptions and Delegation Hostings.

17. (a) That the City of Hamilton not accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 3715/93 upon payment of $7,000. plus costs and interest; and,

(b) That the Law Department be authorized to make an Offer to Settle in Ontario Court (General Division) Action No. 3715/93 in the following terms:

(i) That the City of Hamilton will pay to the Plaintiffs Humberto and Alzira Raposo the sum of $2,000. inclusive of all claims for damages, interest and costs; and,

(ii) That all claims, and cross or counter-claims as against the City of Hamilton in Ontario Court (General Division) Action No. 3715 shall be dismissed without costs; and,

(iii) That this Offer shall remain open for acceptance until withdrawn, or until the commencement of Trial, whichever shall first occur.

18. (a) That the City agree to resolve Ontario Court (General Division) Action No. 18886/90 by the payment to the Plaintiffs, Clara John and Brenda Clairmont, by her litigation guardian Norma Griffin, a contribution in the amount of $2,000. inclusive of all claims for damages, interest and costs; and,

(b) That Ontario Court (General Division) Action No. 18886/90 be dismissed without costs; and,

(c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor.

19. (a) That the City resolve Ontario Court (General Division) Action No. 33728/92 by the payment to the Plaintiffs, Diane Arnold, Robert Arnold, Jennifer Arnold, Karen Payne, and Samantha Payne of the sum of $3,500. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 33728/92 be dismissed without costs.

20. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 21506/90 by the payment to the Plaintiffs, Robert Dimatteo, Donatina Dimatteo, Pat, Louisa and Annette Dimatteo of the sum of $35,563.82 inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 21506/90 be dismissed without costs.

21. (a) That the services of the City of Hamilton's Treasury Department be integrated with those of the Region of Hamilton-Wentworth's Finance Department, based upon the general guidelines proposed in the "Integration of Treasury and Finance Functions" prepared by Price Waterhouse, dated 1994 October 13; and,

(b) That the following transaction processing functions be integrated into one service delivery:

(i) Purchasing, commitment processing and accounts payable;

(ii) Non-tax revenue billing and accounts receivable, including utility billing and collections;

(iii) Tax collection;

(iv) Cashiers;

(v) Payroll and benefits payment and accounting;

(vi) General accounting, including management of general ledgers for each of the two entities;

(vii) borrowing, investments and cash management; and,

(c) That the City of Hamilton and the Region of Hamilton-Wentworth participate in a study evaluating the feasibility of integrating the Hamilton Street Railway's Purchasing and Stores function with the City of Hamilton's Purchasing and Stores function; and,

(d) That an amount of $150,000. be considered during the 1995 Current Budget deliberations for an external consulting service to assist with facilitating this integration to be shared equally between the City of Hamilton and the Region of Hamilton-Wentworth; and,

(e) That a Treasurer to head the primary Department (service provider) and a Director of Finance be appointed; and, **REFERRED TO THE NEXT TERM OF COUNCIL'S SINGLE TIER ADMINISTRATIVE REVIEW STEERING COMMITTEE FOR CONSIDERATION.**

(f) That the City of Hamilton should be the service provider and proceed with the integration as outlined in the "Integration of Treasury and Finance Functions" prepared by Price Waterhouse, dated 1994 October 13. **REFERRED TO THE NEXT TERM OF COUNCIL'S SINGLE TIER ADMINISTRATIVE REVIEW STEERING COMMITTEE FOR CONSIDERATION.**

Recorded vote on Section 21 (e) and (f) - referral.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, D'Amico, Ross. -12.

NAYS: Aldermen Morelli, Charters, Jackson, Merling, Anderson. -5. **CARRIED.**

Recorded vote on Section 21 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Morelli, Charters, Jackson, Merling. -4. **CARRIED.**

22. That leave be granted to introduce the following Bills:

(a) D-30 A By-law to Amend Total Costs of Various Debentured Projects.

(b) D-31 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(c) D-32 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1994 October 20

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1994

URBAN MUNICIPAL
NOV 14 1994
GOVERNMENT DOCUMENTS

Minutes of Hamilton City Council
Tuesday, 1994 November 8
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * * * * * * * * *

The National Anthem was sung by Jim Witter.

* * * * * * * * * * * *

Pastor G. Rittmeyer, Cumberland Christian Assembly led Council in prayer.

SPECIAL ANNOUNCEMENT

Mayor R. M. Morrow introduced The Honourable David Christopherson, Solicitor General and Minister of Correctional Services. Mr. Christopherson stated that it was his great pleasure to announce that the new Ontario Provincial Police - General Headquarters Building presently under construction in the City of Orillia will be named after The Honourable Lincoln Alexander, Member of Her Majesty's Privy Council for Canada and former Lt. Governor for Ontario. Mr. Christopherson then presented Mr. Alexander with an artists rendering of the new facility.

Mr. Christopherson then introduced Ontario Provincial Police Commissioner Thomas O'Grady who presented Mr. Alexander with a photograph of the General Headquarters Building under construction.

Mr. Alexander then addressed City Council and thanked Mr. Christopherson and Commissioner O'Grady for the pictures and the honour of having this facility named after him.

PRESENTATIONS

Mayor R. M. Morrow presented Mr. Jim Witter with a Certificate of Recognition. Mr. Witter has brought great distinction to our city as a country music performer and songwriter.

* * * * * * * * * *

Ms. Gwynneth Cook and Mr. Tyrone Childs of the North End Children's Centre appeared before Council and presented Mayor R. M. Morrow with a plaque acknowledging the Mayors contributions to the North End Children's Centre.

* * * * * * * * * *

Mayor R. M. Morrow presented a 50th Anniversary Certificate to Mr. Mike Meyer, Executive Director and Dr. Clinton Davis, Chairman of the Board for the Catholic Family Services of Hamilton-Wentworth.

* * * * * * * * * *

Mr. Bill Brown, District Manager of The Canadian National Institute for the Blind presented Mayor Morrow with a piece of tactile art in honour of the City's generous support to blind and visually impaired persons.

PROCLAMATIONS

Mayor R. M. Morrow proclaimed the following:

(a) "Diabetes Month" for the month of November, 1994
(b) "Unity in Diversity Week" from November 6 - 12, 1994

ADOPTION OF MINUTES

The minutes of the meeting held 1994 October 25 were adopted as circulated.

PETITIONS AND CORRESPONDENCE

1. Letter dated 1994 October 31 from Mr. Leslie Sugar, 94 Cline Avenue South, Hamilton respecting By-law 94-160.

Referred to the Finance and Administration Committee

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Parks and Recreation, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SIXTEENTH REPORT

Section 2 Re: Zoning Application 94-25, N. Janjic and G. Kugler - 303 York Blvd.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Kiss, Wilson. -2. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

Rule No. 8 Re: Inaugural Meeting of City Council

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a resolution respecting the date of the Inaugural Meeting of City Council.

CARRIED.

* * * * * * * * * * *

Section 19 Re: Inaugural Meeting of City Council

It was moved by Alderman Ross and seconded by Alderman D'Amico that the following be added as Section 19 of the Seventeenth Report for 1994 of the Finance and Administration Committee:

19. That the Inaugural meeting for the 1994-1997 term of City Council be held on Thursday, 1994 December 1st at 6:00 o'clock p.m. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF DECEMBER, 1994

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman F. Eisenberger be appointed Acting Mayor for the month of December, 1994. **CARRIED.**

* * * * * * * * * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-57, C-58, C-59.
D-33, D-34, D-35, D-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Morelli in the chair. (second reading).

C-57, C-58, C-59.
D-33, D-34, D-35, D-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * * * * * * *

Consideration of the Bills (second reading).

* * * * * * * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted:

C-57, C-58, C-59.
D-33, D-34, D-35, D-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * * * * * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-57, C-58, C-59.
D-33, D-34, D-35, D-36.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * * * * * * * * *

City Council then adjourned at 8:20 o'clock p.m.

* * * * * * * * * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz,
1994 November 8
/dg

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **NINETEENTH** Report for 1994 and respectfully recommends:

1. (a) That Section 1 of the First Report of the Committee of the Whole for 1994, adopted by City Council at its meeting held 1994 February 11 respecting the 1994 Service/Program Reduction Plan be reconsidered; and,

   (b) That Section 1 of the First Report of the Committee of the Whole for 1994, adopted by City Council at its meeting held 1994 February 11 respecting the 1994 Service/Program Reduction Plan be amended by deleting reference to the "Interpreters - Hamilton Steam Museum" under the Department of Culture and Recreation, thereby allowing the Museum to remain open for the month of December.

2. (a) That the Schedule of User Fees and Other Revenue - Recreation Department, Subsection - Board of Education - Community Use of Schools - (B) Youth Groups and Community Councils, incorporated into the 1994 Consolidated User Fees for the City of Hamilton and outlined as Schedule"1" in reference to Section 1 (b) of the Eleventh Report of the Committee of the Whole for 1993, approved by City Council on 1993 November 30, be rescinded; and,

   (b) That youth organizations, who are applicable under the grandfather clause for community use of schools of the Culture and Recreation User Fee Schedule and have paid the present approved rental rate for youth groups, of $23.36 plus GST, per 4 hour block, be reimbursed the difference between the amount they have paid and $9.35, plus GST, per 4 hour block, retroactive to September of 1994; and,

   (c) That the grandfather clause remain in effect until the City of Hamilton User Fee Study is completed and presented to Council.

Respectfully Submitted,

Kevin C. Christenson
Secretary
1994 November 8

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTEENTH** Report for 1994 and respectfully recommends:

1. That approval be given to Zoning Application ZAC-94-20, Primecan Holdings Inc., prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to permit the development of the subject lands, in conjunction with the lands to the north, for single-family detached dwellings, for lands located south of Towercrest Drive, between Upper Wellington Street and Colin Crescent, as shown on the attached map marked as APPENDIX "A", on the following basis:

   (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District; and,

   (b) That the Director of Local Planning be directed to prepare a by-law to amend Zoning By-law No. 6593 in a form satisfactory to the City Solicitor and Zoning District Map E-9B for presentation to City Council; and,

   (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That approval be given to Zoning Application 94-25, Ned Janjic and Gerda Kugler, owners, requesting a further modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit a billiard room on the second floor of the existing building, for lands located at No. 303 York Boulevard, as shown on the attached map marked as APPENDIX "B", on the following basis:

   (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, as amended by By-law Nos. 83-192 and 94-008 applicable to the subject lands, be further modified, to include the following variance as a special requirement:

      (i) Notwithstanding Section 14(1) of By-law No. 6593, a billiard room shall be permitted only on the second floor of the existing building; and,

   (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-831b, and that the subject lands on Zoning District Map W-12 be notated S-831b; and,

(c) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map W-12 for presentation to City Council; and,

(d) That the proposed further modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Kiss, Wilson. -2. **CARRIED.**

3. That the Building Commissioner be authorized and directed to refuse to issue the demolition permit for 68 King Street East pursuant to the provisions of the Ontario Heritage Act.

4. (a) That the 180-day delay of demolition be applied to the designated property at 68 King Street East (Victoria Hall) in accordance with the provisions of Section 34 of the Ontario Heritage Act and that the City Solicitor be authorized and directed to take the necessary action; and,

(b) That a letter be sent to the Historic Sites and Monuments Board of Canada requesting that Victoria Hall be evaluated for recognition as a National Historic Site.

5. That the conditions for eligibility for the Hamilton Disabled Programme be amended to provide loan assistance to owner/occupants of residential properties previously eligible for the Provincial Government's Ontario Home Renewal Programme - Disabled.

6. (a) That a By-law to consolidate By-law No. 74-74, the Property Standards By-Law, be enacted by City Council; and,

(b) That By-law No. 74-74 passed on 1974 April 30 in accordance with the Planning Act, R.S.O. 1990, Chapter 13, be repealed.

7. That the request by River Dell Holdings Limited for a refund of a portion of the cash-in-lieu parking payment made under a cash-in-lieu parking agreement for 957- 1009 Fennell Avenue East be denied.

8. That the Building Commissioner be directed to not issue a demolition permit for 98 Ward Avenue.

9. That the Building Commissioner be authorized to issue a demolition permit for 1158 Upper Wentworth Street.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and twenty five dollars ($1,725.) be approved for Irene Tonks, 202 East 23rd Street. The interest rate will be 8 per cent amortized over 5 years.

11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of three hundred and ninety-five dollars ($395.) be approved for Brenda Lockhart, 9 Hope Avenue. The interest rate will be 8 per cent amortized over 5 years.

12. That the Building Department, Loans Division, be directed to process a loan under the Community Heritage Trust Fund Loan to Rickey George Nelson and Susan Shannon Nelson, 111 Charles Street, in the amount of nine thousand, six hundred dollars ($9,600.) at 3 1/2 percent interest amortized over a ten year period.

13. (a) That the Community Improvement Plan for the International Village Business Improvement Area (B.I.A.), attached hereto and marked as APPENDIX "C", be adopted in order to implement the Commercial Loan Programs; and,

    (b) That the Community Improvement Plan be submitted to the Ministry of Municipal Affairs for approval; and,

    (c) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law.

14. (a) That the Community Improvement Plan for the Downtown Hamilton Business Improvement Area (B.I.A.), attached hereto and marked as APPENDIX "D", be adopted in order to implement the Commercial Loan Programs; and,

    (b) That the Community Improvement Plan be submitted to the Ministry of Municipal Affairs for approval; and,

    (c) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law.

15. That the appropriate staff (ie. Law Department, Planning Department) be authorized to attend the following Ontario Municipal Board Hearings respecting appeals from Committee of Adjustment decisions:

    (a) Application No. A-94:167 - 43 Albemarle Street; and,

    (b) Application No. A-94:164 - 96 McElroy Road East

16. That leave be granted to introduce the following Bills:

(a) C-58 A By-law to designate as a Heritage Conservation District the area of Durand-Markland comprised of Markland Street (between James and Bay Streets), Chilton Place and MacNab Street South (between Markland and Herkimer Streets)

(b) C-59 A By-law to Prescribe Standards for the Maintenance and Occupancy of Property

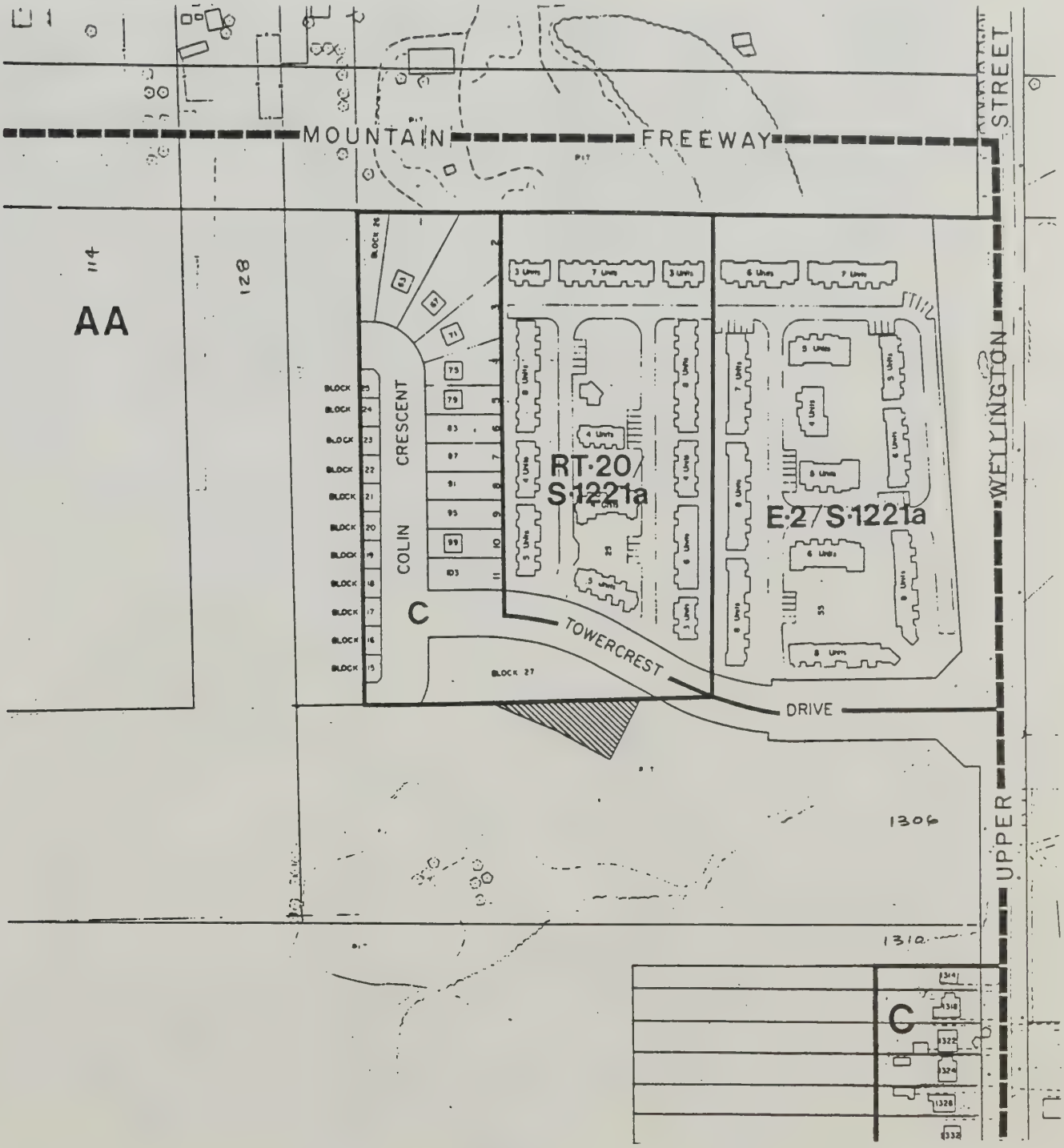
(c) C-60 A By-law to Designate the Crown Point East/McNulty Neighbourhoods, the Downtown Hamilton B.I.A. and the International B.I.A. as Community Improvement Project Areas

Respectfully submitted,

ALDERMAN DON DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene Touzel
Secretary
1994 November 2

Appendix "A" as referred to in Section 1 of the SIXTEENTH Report of the Planning and Development Committee for 1994

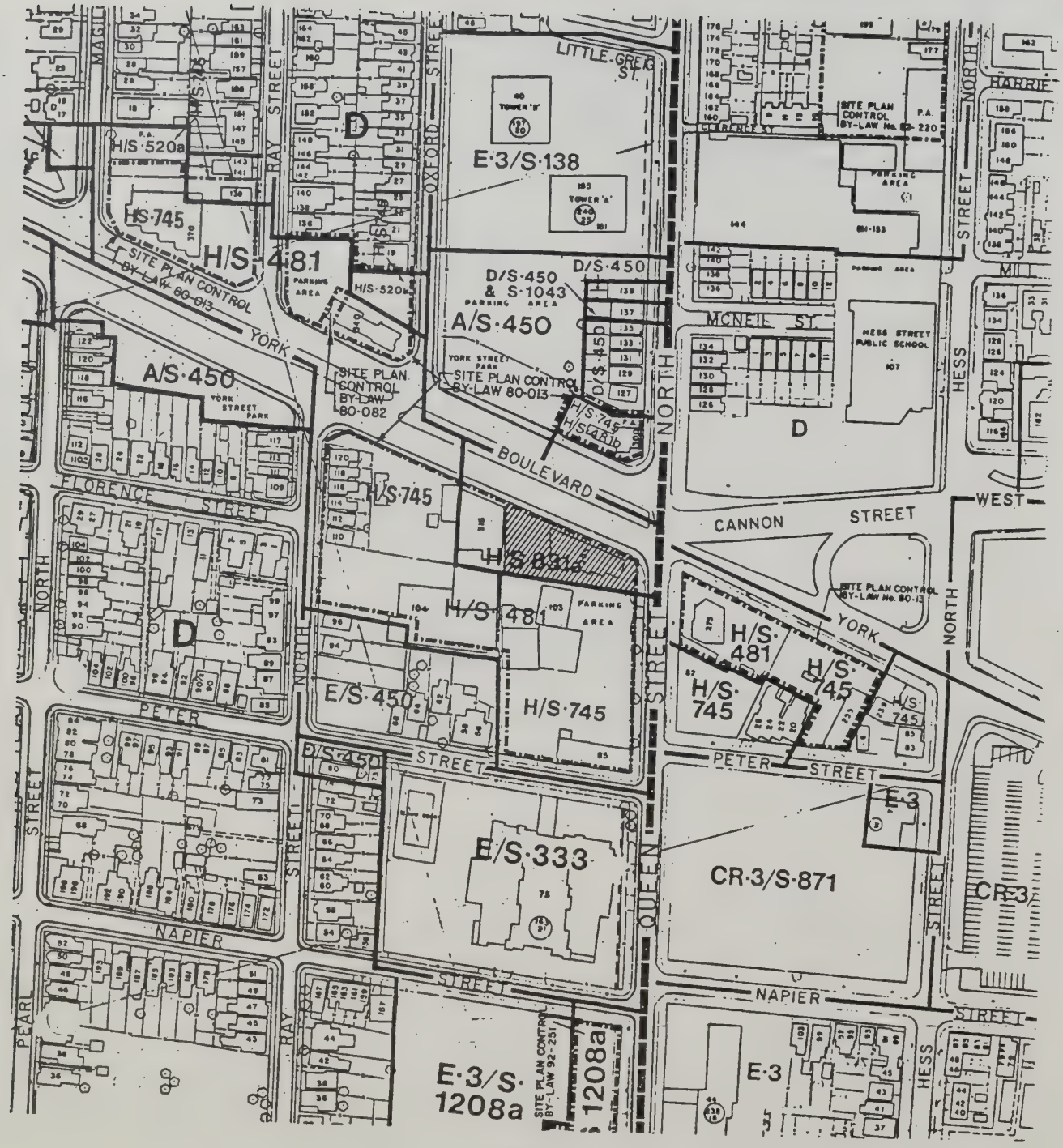


Legend

Site of the Application

ZAC-94-20

Appendix "B" as referred to in Section 2 of the SIXTEENTH Report of the Planning and Development Committee for 1994



Legend

Site of the Application

ZAR-94-25

Appendix "C" as referred to in Section 13(a) of the SIXTEENTH Report of the Planning and Development Committee for 1994

THE INTERNATIONAL VILLAGE

COMMUNITY IMPROVEMENT PLAN

1994 OCTOBER

THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PLAN

PURPOSE:

TO ESTABLISH A PLAN FOR THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL LOAN PROGRAMS.

PREFACE:

THE FOLLOWING PLAN CONSTITUTES THE CORRESPONDING COMMUNITY IMPROVEMENT PLAN FOR THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA WHICH WILL ALSO BE DESIGNATED BY BY-LAW, BY HAMILTON CITY COUNCIL.

INTRODUCTION:

THE INTERNATIONAL VILLAGE COMMUNITY IMPROVEMENT PROJECT AREA FALLS WITHIN THE CENTRAL POLICY AREA AS PER THE CITY OF HAMILTON'S OFFICIAL PLAN. ACCORDINGLY, THE AREA IS TO BE PROMOTED AS A MULTI-USE NODE BY CREATING AN ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE, WORK, DO BUSINESS, SHOP OR VISIT. INTERNATIONAL VILLAGE IS A MAJOR COMMERCIAL AREA WITHIN THE CENTRAL POLICY AREA. IN AN EFFORT TO ENERGIZE AND REVITALIZE THE AREA, THE CITY OF HAMILTON HAS UNDERTAKEN IMPROVEMENTS TO THE STREETSCAPE SUCH AS, BUT NOT LIMITED TO, INTERLOCKING BRICK, IMPROVED LIGHTING, INSTALLATION OF BENCHES, ETC. ANOTHER IMPORTANT ASPECT OF IMPROVING THE VISUAL APPEARANCE OF THE AREA INVOLVES THE UPGRADING OF EXISTING BUILDING FRONTS AND INTERIORS TO NOT ONLY INCREASE THE ATTRACTIVENESS OF THE AREA, BUT ALSO PROVIDE A TOOL FOR MERCHANTS TO IMPROVE THEIR COMMERCIAL IMAGES. SINCE THE AGE OF THE EXISTING BUILDINGS RANGE FROM NINETY TO SIXTY YEARS OLD, THERE IS A NEED TO ENCOURAGE INDIVIDUAL OWNERS AND TENANTS OF BUILDINGS TO RENOVATE VIA LOANS ADMINISTERED UNDER THE COMMERCIAL LOAN PROGRAMS.

COMMERCIAL LOAN PROGRAM

IN A REPORT SUBMITTED BY THE PUBLIC WORKS DEPARTMENT (NEE COMMUNITY DEVELOPMENT DEPARTMENT) DATED 1985 DECEMBER 10 AND INCLUDED IN ITS CAPITAL BUDGET SUBMISSION, THE PLANNING AND DEVELOPMENT COMMITTEE APPROVED THE ESTABLISHMENT OF THE COMMERCIAL FACADE LOAN PROGRAM. SUBSEQUENTLY CITY COUNCIL AT ITS MEETING HELD 1986 JUNE 24 GAVE THE DEPARTMENT OF PUBLIC WORKS (NEE COMMUNITY DEVELOPMENT) AUTHORIZATION TO PROCEED WITH IMPLEMENTATION OF THE COMMERCIAL FACADE LOAN PROGRAM BY ADOPTING ITEM 10 OF THE TWELFTH REPORT FOR 1986 OF THE PLANNING AND DEVELOPMENT COMMITTEE. FURTHERMORE, ON 1993 JANUARY 12, CITY COUNCIL APPROVED THE ESTABLISHMENT OF A NEW COMMERCIAL LOAN PROGRAM FOR THE UPGRADING OF THE INTERIOR OF COMMERCIAL BUILDINGS LOCATED WITHIN BUSINESS IMPROVEMENT AREAS. THE FUNDS FOR THE NEW PROGRAM WERE COMBINED WITH THE EXISTING COMMERCIAL FACADE LOAN PROGRAM FUNDS AND THE PROGRAM WAS RENAMED THE "COMMERCIAL LOAN PROGRAM".

THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA (B.I.A.) DESIGNATED AS A COMMUNITY IMPROVEMENT PROJECT AREA UNDER SECTION 28 OF THE PLANNING ACT, 1990, ALONG WITH THIS COMMUNITY IMPROVEMENT PLAN, ENABLES THE COMMERCIAL LOAN PROGRAM TO BE IMPLEMENTED. THE PROGRAM IS DESIGNED TO PROVIDE LOW INTEREST LOANS TO OWNERS AND TENANTS FOR REHABILITATION AND IMPROVEMENTS TO COMMERCIAL PROPERTIES LOCATED IN (B.I.A'S). A LOW INTEREST LOAN COVERING 100% OF THE ELIGIBLE EXTERIOR IMPROVEMENT COSTS TO A MAXIMUM OF $15,000. PER MUNICIPAL ADDRESS IS AVAILABLE. IN ADDITION THE OWNER OF REAL PROPERTY MAY ALSO OBTAIN AN ADDITIONAL $10,000. LOAN FOR INTERIOR IMPROVEMENTS. IN CASES WHERE AN OWNER OWNS SEVERAL PROPERTIES WITHIN A B.I.A. THE MAXIMUM ANY ONE OWNER CAN OBTAIN IS $45,000. FOR THE EXTERIOR, AND $30,000. FOR INTERIOR WORK. OWNERS OF BUSINESSES WHO DO NOT OWN ANY REAL PROPERTY MAY BORROW A MAXIMUM OF $2,000. FOR MODIFICATIONS OR IMPROVEMENTS.

THE INTEREST RATE ON THE LOAN IS ONE-HALF OF THE PRIME INTEREST RATE AT THE BANK OF COMMERCE ON THE DATE THE LOAN AGREEMENT IS SIGNED.

THE LOAN IS AMORTIZED OVER A MAXIMUM OF 10 YEARS AND SECURED BY A LIEN REGISTERED ON TITLE AND/OR A PROMISSORY NOTE.

THE ATTACHED APPENDIX 'A' CONSTITUTES THE COMMERCIAL LOAN PROGRAM GUIDELINES. APPENDIX 'B' IS A MAP OF THE COMMUNITY IMPROVEMENT PROJECT AREA OR, AREA OF IMPLEMENTATION.

CONCLUSION:

THE COMMUNITY IMPROVEMENT PLAN IS INTENDED TO BE ACTION ORIENTED, CONCENTRATING ON REHABILITATING OR UPDATING EXISTING BUILDING FACADES AND INTERIORS, RATHER THAN LARGE SCALE REDEVELOPMENT.

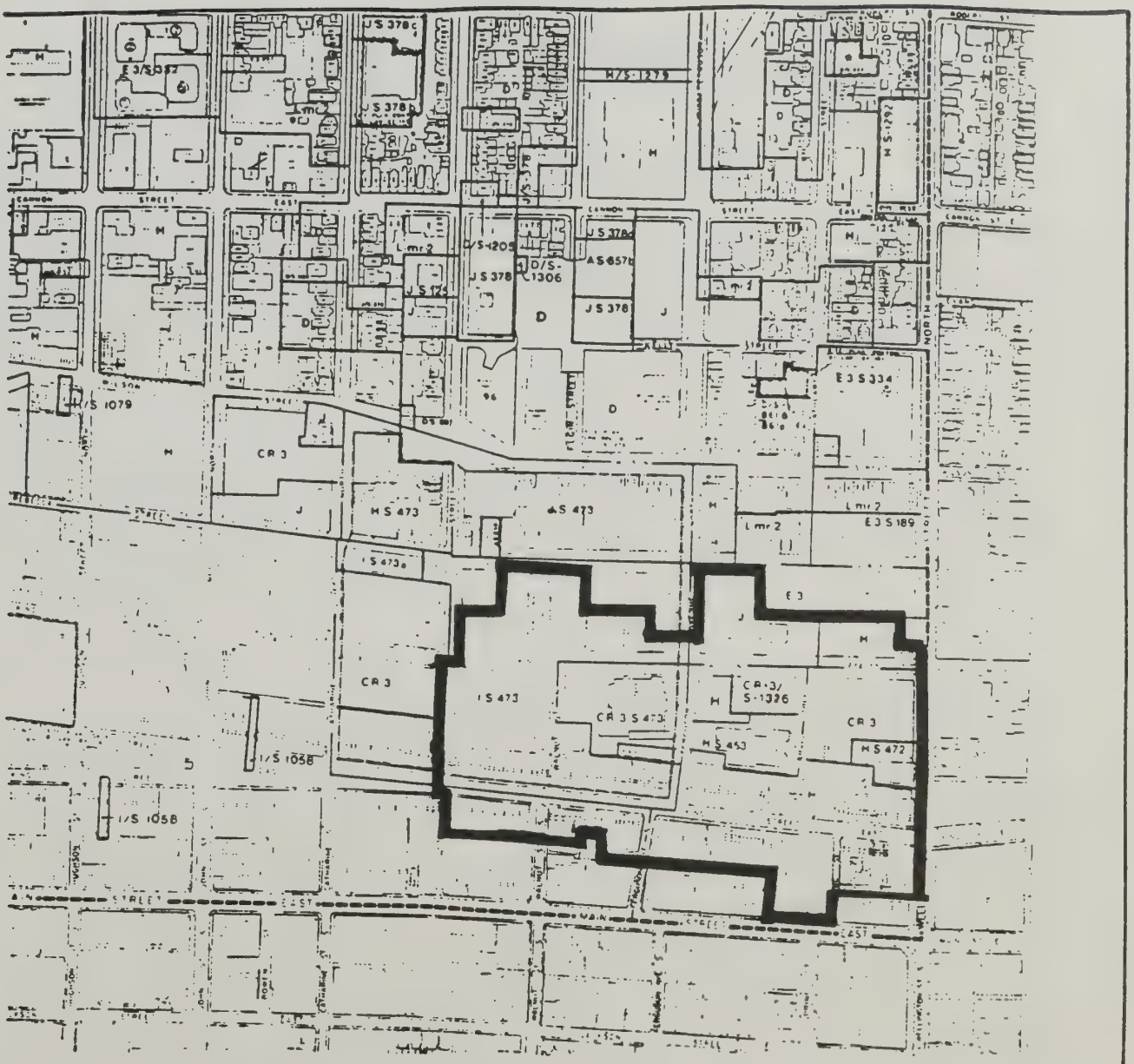
APPENDIX 'A'

COMMERCIAL LOAN PROGRAM

GUIDELINES

- LIMITED TO BUSINESS IMPROVEMENT AREAS (B.I.A.'S)
- LOANS AT AN INTEREST RATE OF ONE-HALF OF THE CITY'S PRIME BORROWING RATE
- MAXIMUM LOAN AMOUNT $15,000. PER PROPERTY OWNER FOR EXTERIOR IMPROVEMENTS
- MAXIMUM LOAN AMOUNT OF $10,000. PER PROPERTY OWNER FOR INTERIOR IMPROVEMENTS
- MAXIMUM LOAN AMOUNT OF $2,000. PER BUSINESS OPERATOR THAT DOES NOT OWN REAL PROPERTY
- MAXIMUM LOAN ANY ONE OWNER OF SEVERAL PROPERTIES WITHIN A B.I.A. CAN OBTAIN IS $45,000. EXTERIOR, AND $30,000 INTERIOR
- LOAN AMORTIZED OVER TEN YEARS (OPEN)
- BUILDING ENVELOPE TO BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES CORRECTED, BEFORE OPTIONAL IMPROVMENTS DETERMINED BY OWNER OR OPERATOR.
- IMPROVEMENTS ELIGIBLE INCLUDE: RE-ROOFING; REPAINTING; REPOINTING MASONRY OR BRICKWORK; REPAIRING CORNICES AND OTHER ARCHITECTURAL DETAILS; REDESIGNED STORE FRONTS; REMOVAL OF INAPPROPRIATE SIGNAGE; INSTALLATION OF APPROPRIATE NEW SIGNAGE; WINDOW REPAIR AND RESTORATION; RESTORATION OF ORIGINAL FACADE APPEARANCE; CANOPIES AND AWNINGS; INTERIOR FIXTURES, INCLUDING PARTITIONS; INTERIOR DECORATING INCLUDING LIGHTING, PAINTING, WALLPAPER; "BUILT-IN" SHOWCASES, FREEZERS, SPECIAL PLUMBING; INTERIOR SIGNAGE, ETC.
- PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, SOLICITORS, ETC. ARE AN ELIGIBLE EXPENSE.
- LOAN REPAID ON MONTHLY BASIS. NO PENALTY APPLIED FOR FULL PAYMENT BEFORE THE TERM OF LOAN.
- LOAN MAY BE TRANSFERRED TO A NEW OWNER PROVIDING THE NEW OWNER MEETS AND AGREES TO THE TERMS AND CONDITIONS OF THE LOAN (THIS APPROVAL MUST BE REQUESTED IN WRITING AND WILL BE CONFIRMED IN WRITING BY THE CITY).
- APPLICANT MUST BE THE REGISTRED OWNER OF THE COMMERCIAL PROPERTY
- OWNERS' OR TENANTS' TAXES AND B.I.A. LEVIES MUST BE CURRENT

- LOANS MUST BE RECOMMENDED BY THE B.I.A. BOARD AND APPROVED BY THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL
- NO RESTRICTIONS ON DEMOLITIONS EXCEPT THAT ANY OUTSTANDING LOANS MUST BE REPAID TO THE MUNICIPALITY. BUILDINGS THAT ARE DESIGNATED UNDER THE HERITAGE ACT MAY HAVE MORE RESTRICTIONS APPLIED
- LOAN COMMITMENTS ARE VALID FOR ONE YEAR AND EXPIRE IF THE WORK IS NOT COMPLETED WITHIN THAT TIME PERIOD
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAM AFTER ORIGINAL CAPITAL BUDGET ALLOCATION
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS
- OWNER TO OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR EXTERIOR AND INTERIOR IMPROVEMENTS (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION)
- LOAN APPLICATION REVIEWED BY BUILDING DEPARTMENT, LOANS DIVISION WITH INPUT FROM THE B.I.A. BOARD, AND IN CASES OF HERITAGE BUILDINGS, THE CITY'S PLANNING DEPARTMENT
- REPORT SENT TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL RECOMMENDING APPROVAL OF LOAN
- LOAN COMMITMENT PROVIDED IN WRITING. ONLY AT THAT TIME CAN WORK BEING FUNDED COMMENCE
- PROGRESS PAYMENT MAY BE REQUESTED AND ISSUED AFTER INSPECTION AND CONFIRMATION WORK COMPLETED AS PER THE ONTARIO BUILDING CODE



APPENDIX 'B'

All Lands Within This Neighbourhood Is Subject
To Site Plan Control By-law No 90-285

107/106 69 21 10 95 41 31 125 This is not a Legal Document For Zoning Verification Please Contact City Building Department	CITY OF HAMILTON BEASLEY ZONING
Neighbourhood Boundary Zoning Boundary	0 100m SCALE 50m
Prepared for The City of Hamilton by the Planning and Development Department of The Regional Municipality of Hamilton-Wentworth	6703 — 10

Appendix "D" as referred to in Section 14(a) of the SIXTEENTH Report of the Planning and Development Committee for 1994

THE DOWNTOWN HAMILTON

COMMUNITY IMPROVEMENT PLAN

1994 OCTOBER

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

PURPOSE:

TO ESTABLISH A PLAN FOR THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA IN ORDER TO IMPLEMENT THE CORPORATION OF THE CITY OF HAMILTON'S COMMERCIAL LOAN PROGRAMS.

PREFACE:

THE FOLLOWING PLAN CONSTITUTES THE CORRESPONDING COMMUNITY IMPROVEMENT PLAN FOR THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA WHICH WILL ALSO BE DESIGNATED BY BY-LAW, BY HAMILTON CITY COUNCIL.

INTRODUCTION:

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA FALLS WITHIN THE CENTRAL POLICY AREA AS PER THE CITY OF HAMILTON'S OFFICIAL PLAN. ACCORDINGLY, THE AREA IS TO BE PROMOTED AS A MULTI-USE NODE BY CREATING AN ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE, WORK, DO BUSINESS, SHOP OR VISIT. DOWNTOWN HAMILTON IS A MAJOR COMMERCIAL AREA WITHIN THE CENTRAL POLICY AREA. IN AN EFFORT TO ENERGIZE AND REVITALIZE THE AREA, THE CITY OF HAMILTON HAS UNDERTAKEN IMPROVEMENTS TO THE STREETSCAPE SUCH AS, BUT NOT LIMITED TO, INTERLOCKING BRICK, IMPROVEED LIGHTING, INSTALLATION OF BENCHES, ETC. ANOTHER IMPORTANT ASPECT OF IMPROVING THE VISUAL APPEARANCE OF THE AREA INVOLVES THE UPGRADING OF EXISTING BUILDING FRONTS AND INTERIORS TO NOT ONLY INCREASE THE ATTRACTIVENESS OF THE AREA, BUT ALSO PROVIDE A TOOL FOR MERCHANTS TO IMPROVE THEIR COMMERCIAL IMAGES. SINCE THE AGE OF THE EXISTING BUILDINGS RANGE FROM ONE HUNDRED AND THIRTY YEARS OLD TO SEVENTY YEARS OLD, THERE IS A NEED TO ENCOURAGE INDIVIDUAL OWNERS AND TENANTS OF BUILDINGS TO RENOVATE VIA LOANS ADMINISTERED UNDER THE COMMERCIAL LOAN PROGRAMS.

COMMERCIAL LOAN PROGRAM

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CONCLUSION:

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APPENDIX 'A'

COMMERCIAL LOAN PROGRAM

GUIDELINES

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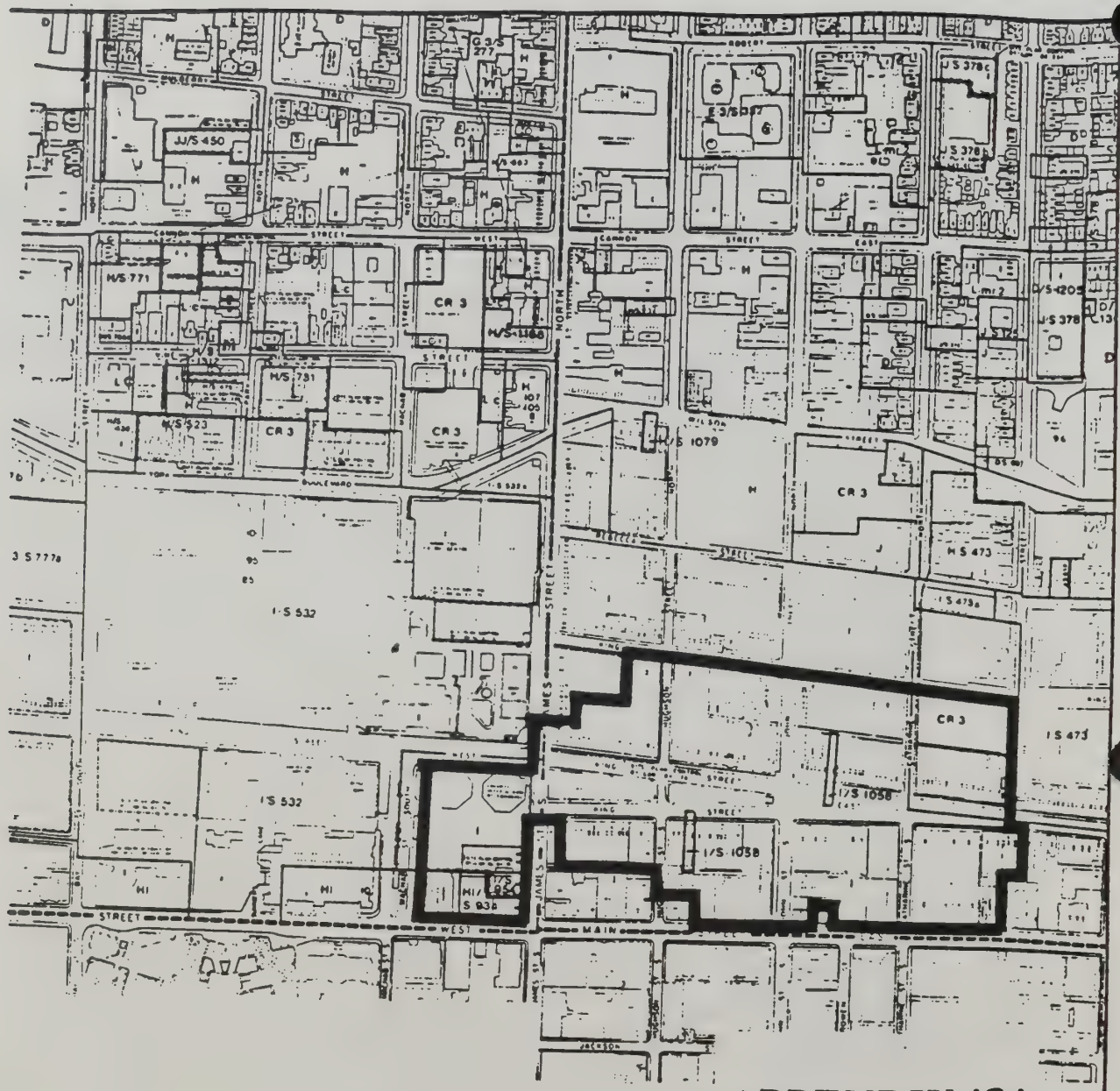
- LOAN AMORTIZED OVER TEN YEARS (OPEN)
- BUILDING ENVELOPE TO BE INSPECTED, INCLUDING EXTERIOR SHELL (FOUNDATION, EXTERIOR WALLS, ROOF, FIRE ESCAPES AND CHIMNEYS). ANY DEFICIENCIES CORRECTED, BEFORE OPTIONAL IMPROVEMENTS DETERMINED BY OWNER OR OPERATOR.
- IMPROVEMENTS ELIGIBLE INCLUDE: RE-ROOFING; REPAINTING; REPOINTING MASONRY OR BRICKWORK; REPAIRING CORNICES AND OTHER ARCHITECTURAL DETAILS; REDESIGNED STORE FRONTS; REMOVAL OF INAPPROPRIATE SIGNAGE; INSTALLATION OF APPROPRIATE NEW SIGNAGE; WINDOW REPAIR AND RESTORATION; RESTORATION OF ORIGINAL FACADE APPEARANCE; CANOPIES AND AWNINGS; INTERIOR FIXTURES, INCLUDING PARTITIONS; INTERIOR DECORATING INCLUDING LIGHTING, PAINTING, WALLPAPER; "BUILT-IN" SHOWCASES, FREEZERS, SPECIAL PLUMBING; INTERIOR SIGNAGE, ETC.
- PROFESSIONAL FEES (ARCHITECTS, ENGINEERS, SOLICITORS, ETC. ARE AN ELIGIBLE EXPENSE)
- LOAN REPAID ON MONTHLY BASIS. NO PENALTY APPLIED FOR FULL PAYMENT BEFORE THE TERM OF LOAN.
- LOAN MAY BE TRANSFERRED TO A NEW OWNER PROVIDING THE NEW OWNER MEETS AND AGREES TO THE TERMS AND CONDITIONS OF THE LOAN (THIS APPROVAL MUST BE REQUESTED IN WRITING AND WILL BE CONFIRMED IN WRITING BY THE CITY).
- APPLICANT MUST BE THE REGISTRED OWNER OF THE COMMERCIAL PROPERTY
- OWNERS' OR TENANTS' TAXES AND B.I.A. LEVIES MUST BE CURRENT

- LOANS MUST BE RECOMMENDED BY THE B.I.A. BOARD AND APPROVED BY THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL
- NO RESTRICTIONS ON DEMOLITIONS EXCEPT THAT ANY OUTSTANDING LOANS MUST BE REPAID TO THE MUNICIPALITY. BUILDINGS THAT ARE DESIGNATED UNDER THE HERITAGE ACT MAY HAVE MORE RESTRICTIONS APPLIED
- LOAN COMMITMENTS ARE VALID FOR ONE YEAR AND EXPIRE IF THE WORK IS NOT COMPLETED WITHIN THAT TIME PERIOD
- ALL MONEY COLLECTED ON REPAYMENT TO BE PLACED IN A RECYCLABLE ACCOUNT TO CONTINUE PROGRAM AFTER ORIGINAL CAPITAL BUDGET ALLOCATION
- UNIT ELIGIBILITY WILL BE BASED ON LATEST REVISED BUSINESS ASSESSMENT ROLLS
- OWNER TO OBTAIN TWO ESTIMATES FOR BUILDING ENVELOPE BASED ON INSPECTION, AND TWO FOR EXTERIOR AND INTERIOR IMPROVEMENTS (THE BUILDING DEPARTMENT WILL APPROVE THE ESTIMATES BASED ON THEIR INSPECTION)
- LOAN APPLICATION REVIEWED BY BUILDING DEPARTMENT, LOANS DIVISION WITH INPUT FROM THE B.I.A. BOARD, AND IN CASES OF HERITAGE BUILDINGS, THE CITY'S PLANNING DEPARTMENT
- REPORT SENT TO THE PLANNING AND DEVELOPMENT COMMITTEE AND CITY COUNCIL RECOMMENDING APPROVAL OF LOAN
- LOAN COMMITMENT PROVIDED IN WRITING. ONLY AT THAT TIME CAN WORK BEING FUNDED COMMENCE
- PROGRESS PAYMENT MAY BE REQUESTED AND ISSUED AFTER INSPECTION AND CONFIRMATION WORK COMPLETED AS PER THE ONTARIO BUILDING CODE



APPENDIX 'B'

All Lands Within This Neighbourhood Is Subject To Site Plan Control By-law No. 90-285.

40 | 107 | 106 127 | 21 | 10 92 | 41 | 31 This is not a Legal Document For Zoning Verification Please Contact City Building Department	CITY OF HAMILTON CENTRAL ZONING	CITY OF HAMILTON BEASLEY ZONING
Neighbourhood Boundary Zoning Boundary	SCALE 0 50m 100m NORTH	SCALE 0 50m 100m NORTH
Prepared for The City of Hamilton by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth	6704 | 21	6703 | 10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1994 and respectfully recommends:

1. That a one-time financing provision be made to the Hamilton Public Library up to a maximum of $550,000., depending on their need by year-end to assist with the transitional costs for implementing the 1994 Current Budget reduction packages.

2. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

   (i) 167 Park Row North
   (ii) 185 Fennell Avenue East
   (iii) 101 Munn

   (b) That the City Solicitor be authorized to prepare the appropriate by-law; and,

   (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

3. (a) That the 1995 General and Convention/Reception Grant Applications and Policies be made available, consistent with the issuance of the 1994 Grant Applications and Policies, with a 1994 December 31 deadline for the General Grant Applications; and,

   (b) That the process for reviewing and approving of these 1995 Grant Applications be considered by the Finance and Administration Committee by the end of 1995 January.

4. (a) That approval be granted to host a Public Meeting for Development Charges on 1994 December 8th in accordance with the Development Charges Act, for the purposes of reviewing existing development charge policies and to advise the public of the City's intent to pass a new development charges by-law; and,

(b) That Hemson Consulting Limited be retained by the City to assist in the review and development of the Development Charges Study to commence 1994 November 9, and to be completed by 1995 March 1, based on a proposal submitted by them; and,

(c) That an upset limit of $35,000. for consulting services for this project be allocated from Account CH55406-24101 Fees-Consultants as provided for in the 1994 Current Budget.

5. That in furtherance of the City's Initiatives in the Downtown, the Mayor, on behalf of Hamilton City Council, meet with the Provincial Minister of Housing and area members of the Provincial Parliament to request funding for the Downtown Integrated Housing Proposal and the Barton/Ferguson Townhouse Proposal submitted by the Municipal Non-Profit (Hamilton) Housing Corporation under Wave 3 of the JobsOntario Homes Program.

6. (a) That the City of Hamilton renew the Master Lease for space occupied at City Hall by the Regional Municipality of Hamilton-Wentworth, for a period of four (4) years commencing 1994 December 1 and terminating 1998 November 30, being subject to approval of the Regional Administrative Services Committee and Regional Council; and,

(b) That the City of Hamilton renew the lease with the Regional Municipality of Hamilton-Wentworth for space occupied by the Social Services Department at 74 Hughson Street South for a period of four (4) years commencing 1994 December 1 and terminating 1998 November 30. The four (4) year term is only for the establishment of the rent. Either party may cancel the lease upon ninety (90) days written notice; and,

(c) That the Mayor and City Clerk be authorized to execute a lease document(s) satisfactory to the City Solicitor; and,

(d) That lease renewals for Sections (a) and (b) above be based on the following Rent Schedules:

RENT COMPUTATIONS

CITY HALL

PLANNING DEPARTMENT		TOTAL
(i)	(1) 1994 December 1 to 1997 November 30 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ $14.30 per sq. ft. per annum	$ 88,245.30 per annum

	(2) 1997 December 1 to 1998 November 30 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ $12. per sq. ft. per annum	$ 74,052. per annum
ENGINEERING DEPARTMENT		TOTAL
(ii)	(1) 1994 December 1 to 1997 November 30 - 7th Floor - East Wing - 2,858 square feet 2,858 sq. ft. @ $14.30 per sq. ft. per annum	$ 40,869.40 per annum
	(2) 1997 December 1 to 1998 November 30 - 7th Floor - East Wing - 2,858 square feet 2,858 sq. ft. @ $12. per sq. ft. per annum	$ 34,296. per annum
(iii)	(1) 1994 December 1 to 1997 November 30 6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ $14.30 per sq. ft. per annum	$129,114.70 per annum
	(2) 1997 December 1 to 1998 November 30 6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ $12. per sq. ft. per annum	$108,348. per annum
(iv)	(1) 1994 December 1 to 1997 November 30 5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ $14.30 per sq. ft. per annum	$ 41,941.90 per annum
	(2) 1997 December 1 to 1998 November 30 5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ $12. per sq. ft. per annum	$ 35,196. per annum
(v)	Basement Vault - Jointly by City and Region 800 sq. ft. 800 sq. ft. @ $5.50 per sq. ft. per annum	$ 4,400. per annum
Total Engineering Department - 1994 December 1 to 1997 November 30		$216,326. per annum
Total Engineering Department - 1997 December 1 to 1998 November 30		$182,240. per annum
Total Rented Space in City Hall - 1994 December 1 to 1997 November 30		$304,571.30 per annum
Total Rented Space in City Hall - 1997 December 1 to 1998 November 30		$256,292. per annum

SOCIAL SERVICES

(vi)	1994 December 1 to 1998 November 30 74 Hughson Street South - First Floor 5,032.75 sq. ft. @ $10.50 per sq. ft. per annum	$ 52,843.87 per annum
(vii)	15 Hunter Street East - Second & Third Floor 13,622 sq. ft. @ $10. per sq. ft. per annum	$136,220. per annum
	TOTAL	$189,063.87

(e) That in addition to rent paid, the Region is responsible for their proportionate share of the increase in operating costs over the Base Year of 1994. All amounts payable shall be deemed to be additional rent; and,

(f) That it is understood and agreed that the Region will be paying a rental of $14.30 per square foot per annum for space occupied in City Hall for the first three (3) years of this lease rather than the current market rent of $12. per square foot on the condition that, the City as Landlord will replace the carpeting within the Regional space being leased in City Hall estimated at $142,000. The replacement of carpet will be processed through the City's Capital Budget and if ultimately not approved by City Council, the rent for space occupied by the Region will revert to the current market rent of $12. per square foot and adjustments made accordingly.

7. (a) That the Mayor and City Clerk be authorized to execute the acceptance of an Offer to Purchase to be made by the Hamilton Society for the Prevention of Cruelty to Animals (S.P.C.A.) in a form satisfactory to the Director of Property and the City Solicitor for the conveyance by the City of Hamilton of Lots 8, 9, 10 and 11 plus Block 12 (subject to an easement in favour of Trans Canada PipeLine Limited) Plan 62M-658, having a frontage of 151.4 metres (496.72 feet) along the eastern limit of Dartnall Road by a depth of 102.330 metres/100.347 metres (335.728 feet/329.222 feet) having an area of 1.536 hectares (3.795 acres) for the sum of $1., and that the transaction be completed on or before 1994 December 15, incorporating the terms set out below; and,

(b) That the Offer to Purchase shall include the following terms and conditions:

(i) That the Purchaser agrees that the herein transaction is conditional upon the successful completion of the purchase of the herein described land by the Vendor, the Corporation of the City of Hamilton, from the Regional Municipality of Hamilton-Wentworth; and,

(ii) That in consideration for the grant of the land herein described to the Purchaser, in addition to the payment of $1. to the Vendor, the Purchaser covenants and agrees to and with the Vendor:

(1) That the land shall be used solely for a non profit animal shelter facility operated by the Purchaser; and,

(2) That if the land, in the opinion of the City reasonably arrived at, is used other than as stated in the preceding provision, or contrary to the furtherance of the Purchaser's Objects set out in its Letters Patent as of 1938 June 6; and,

(3) That if the Purchaser, for whatever reason, ceases to provide upon the said land, animal control and animal welfare services to the City; and,

(4) That the Purchaser shall commence construction of the facility described in Section (b)(ii)(1) above as provided for in the approved site plan(s) and the approved detailed plans, upon the hereinbefore described land, by not later than 1995 March 15, (Construction is considered commenced when the footings have been installed as determined by the Office of the Building Commissioner); and,

(5) That the Purchaser shall proceed diligently thereafter to complete construction and shall have incurred on or before 1996 January 31 at least 85% of the project's costs; and,

(c) (i) That in the event that the Purchaser does not comply with its covenants and agreements to and with the Vendor set out above within the required time limits (if any) set out above, the Purchaser covenants and agrees:

(1) With respect to Sections (b)(ii)(1)(2)(4) and (5); and,

(2) With respect to Sections (b)(ii)(3) upon not less than six months notice; and,

(ii) That the Purchaser shall, if required by the Vendor, by a date specified by the Vendor:

(1) Sell subject land at its Fair Market Value, or

(2) Sell, reconvey or transfer the subject land to the Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever at its then Fair Market Value; and,

(d) That upon completing the sale referred to in Section (b)(c)(ii)(1) above, the S.P.C.A. shall direct that the proceeds of the sale be distributed between the City and the S.P.C.A. as follows: 67.15% to the City and 32.85% to the S.P.C.A.; and,

(e) That where the City exercises its right to reacquire the property at its then Fair Market Value, as referred to in Section (c)(ii)(2) above or Section (f) below, if the S.P.C.A. and the City do not agree on the then Fair Market Value, the Fair Market Value of the property shall be determined by an appraisal report prepared by an appraiser whose selection is satisfactory to the City and to the S.P.C.A. The cost of the appraisal shall be borne equally by the City and the S.P.C.A. Upon such purchase the City shall only be liable to pay the S.P.C.A. for the S.P.C.A.'s interest in the property, namely 32.85% of the Fair Market Value; and,

(f) That providing the City has not exercised its rights in Section (c) above and the City does not have the grounds to do so, and providing the City has received at least six months notice of the Society's intention to sell and the City has not during that period given notice to the Society of the City's intention to acquire the property at its Fair Market Value, the S.P.C.A. may (after the expiry of not less than 20 years from taking title to the subject property,) sell the subject land and, if it does so, the Society agrees that the City shall receive 67.15% of the proceeds of the sale; and,

(g) That in the event that, for whatever reason, the S.P.C.A. ceases to provide upon the said land animal control and animal welfare services to the City, the S.P.C.A. may on not less than six months notice to the City prior to the expiry of the said 20 year period, (notwithstanding the 20 year period referred to in Section (f) above,) sell the land at its then Fair Market Value and distribute the proceeds as follows: 67.15% to the City and 32.85% to the S.P.C.A.. During the said six month notice period the City may give notice to the S.P.C.A. of the City's intention to acquire the property at its Fair Market Value, in which event the property shall be sold to the City in accordance with Section (e) above; and,

(h) That the City's deed to the Purchaser shall be subject to and include the Purchaser's covenants, restrictions and agreements in favour of the City in Sections (b)(1)(2)(3) and Sections (c)(d)(e)(f)(g) and (i) in a form satisfactory to the City Solicitor and the deed to the Purchaser shall be executed by the Purchaser (for purposes of the said covenants, restrictions and agreements in favour of the City), well in advance of closing and prior to the execution of the deed by the City; and,

(i) That the parties agree from time to time to enter into an agreement to revise the said proceeds formula of 67.15% to the City and 32.85% to the S.P.C.A. to reflect additions or other improvements of a capital nature to the building(s) on the said land paid by either party. Such amending agreement shall be entered into prior to construction of an addition or improvement of a capital nature. Such amending agreement on the part of the City shall not by itself impose any obligation on the

City to pay the initial capital cost or maintenance of such addition or improvement of a capital nature; and,

(j) That the parties acknowledge and agree that currently the S.P.C.A. annually approaches the City with respect to approval of an annual contract for services it renders to the City. The City has retained the services of the S.P.C.A. on an annual basis since 1951. Currently the City has the right to accept or reject the S.P.C.A.'s annual offer of services.

The City's present allocation of infrastructure funds and contribution towards the Dartnall Road site of the new facility does not alter the said working relationship between the City and the S.P.C.A.. The City will, under the terms of this Offer to Purchase, retain its right to approve or not approve an annual Agreement with the S.P.C.A.; and,

(k) That the agreement shall also be conditional upon:

(i) The Purchaser entering into an Agreement with the Corporation of the City of Hamilton (prior to the completion of the conveyance of the land to the Purchaser) providing for the terms and conditions under which Infrastructure funding is intended to be provided towards the construction cost of the Purchaser's facility to be built and under which the expenditure of monies of the Federal-Provincial Infrastructure Programme shall proceed; and,

(ii) The Purchaser obtaining a building permit and all other approvals required of it by the Corporation of the City of Hamilton prior to commencement of construction; and,

(l) That the Purchaser agrees that it shall diligently use its best efforts to complete a sale transaction of land described as part of lot 32, Broken Front Concession, Geographic Township of Saltfleet, in the City of Hamilton, municipally known as 658 Parkdale Avenue North, Hamilton to a third party purchaser. If the property is listed and prior to accepting any Offer, the Purchaser shall request the approval of the City Director of Property to the sale price. The Purchaser's plan is to complete such sale no later than twenty-four (24) calendar months from the substantial completion of construction, as defined in an Agreement dated the 1994 October 5, between the Vendor and Purchaser, of the new facility for the Purchaser on the Dartnall Road location. If the Purchaser has not completed the sale as aforesaid, this shall not constitute a default which would entitle the city to re-acquire the Dartnall Road location. If after the expiry of the said 24 month period the property remains not sold, the Purchaser shall, if requested by the City, convey for $1. the Parkdale site to the City free and clear of all encumbrances; and,

(m) That the S.P.C.A. shall direct that the sale price received, in respect of the Parkdale property sale be paid to the Corporation of the City of Hamilton forthwith upon its receiving the sale money and such money shall not be retained by the S.P.C.A. for any other purpose. The Purchaser and the Vendor acknowledge and agree that the only consideration payable by the Purchaser to the City for the new Dartnall Road location is the proceeds of sale from the sale of the Parkdale property; the insurance proceeds referred to below or the conveyance to the City referred to herein.

The parties agree that the difference between the Parkdale sale proceeds received by the City and the Fair Market Value of $342,000. of the Dartnall Road site, is a gift by the City to this S.P.C.A. project, subject to the other provisions of this Agreement.

8. That the City Solicitor be authorized to prepare the appropriate By-law to consolidate the Treasurer's By-law No. 71-69 respecting the levying of municipal taxes.

9. That a purchase order be issued to Carrier Truck Centre Inc., Brantford, in the amount of $333,925.50, all applicable taxes included, for the purchase of three (3) 52,000 lb. GVW Chassis with 20 Cubic Yard Rear Loading Refuse Packer Bodies for Fleet Services, being the lowest of four tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X504 00101.

10. That approval be given to the actions taken by the Finance and Administration Committee in approving the placement of a mobile sign on the City Hall forecourt to promote the Hamilton Tiger-Cat Game on Sunday, 1994 November 6.

11. (a) That approval be given to erect a barometer on the forecourt of City Hall to measure the Season Ticket Sales; and,

(b) That an amount of $2,450. be approved for the construction, installation and removal of a barometer to measure the Hamilton Tiger Cat Season Ticket Sales; and,

(c) That the amount of $2,450. be funded from Centre No. 24201 Unclassified.

12. That Andres Wines Ltd. be advised that the City of Hamilton supports its application to the Liquor Control Board of Ontario to open its wine stores located within the City on the following Statutory Holidays: Victoria Day; Canada Day; Labour Day; Civic Holiday; Thanksgiving Day; Boxing Day (except when it falls on a Sunday).

13. That Hillebrand Estates be advised that the City of Hamilton supports its application to the Liquor Control Board of Ontario to open its wine stores located within the City on the following Statutory Holidays: Victoria Day; Canada Day; Labour Day; Civic Holiday; Thanksgiving Day; Boxing Day (except when it falls on a Sunday).

14. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 35132/92 by the payment to the Plaintiffs, Elli Hammermeister and Henry Hammermeister, of a contribution in the amount of $5,000., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 35132/92, including all cross-claims, be dismissed without costs.

15. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 32311/91 by the payment to the Plaintiff, Joseph Beattie, of a contribution in the amount of $4,142., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 32311/91, and the Third Party Action, be dismissed without costs.

16. (a) That the City of Hamilton accept the Offer to Contribute of the Co-Defendant, Victoria Park Community Homes Inc. as set out in their Counsel's letter dated 1994 October 13; and,

(b) That the City of Hamilton decline to accept the Plaintiff's Offer to Settle Ontario Court (General Division) Action No. 1081/85, dated 1994 October 18; and,

(c) That the City make an Offer to Settle Ontario Court (General Division) Action No. 1081/85 on the following terms:

(i) That the City will contribute to the settlement of this Action by payment to the Plaintiffs Hilda and Sergei Kevlicius of the total amount of $12,000.; and,

(ii) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(iii) That Ontario Court (General Division) Action No. 1081/85, together with all crossclaims, shall be dismissed without costs; and,

(iv) That this Offer remain open for acceptance until withdrawn, or the commencement of Trial whichever first occurs.

17. (a) That John Johnston be retained as the Commissioner of Human Resources, under either of the following terms and conditions:

(i) A contract employee for five (5) years; or

(ii) A non-contract permanent employee; and,

(b) That the Finance and Administration Committee and City Council reserve judgement on the terms and conditions of this retainment until a report outlining the advantages and disadvantages of contractual employment versus permanent employment for all Department Heads is presented to the 1994 December meeting of the Finance and Administration Committee for consideration.

18. That leave be granted to introduce the following Bills:

(a) D-33 A By-law to Amend By-law No. 86-164 respecting the Formulation of a Municipal Emergency Plan.

(b) D-34 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(c) D-35 A By-law to Consolidate By-law No. 71-69 respecting the Levying of Municipal Taxes.

(d) D-36 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

19. That the Inaugural meeting for the 1994-1997 term of City Council be held on Thursday, 1994 December 1st at 6:00 o'clock p.m. **ADDED.**

Respectfully Submitted,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1994 November 3

URBAN/MUNICIPAL
CA4 ON HBL A05
M21
1994

K. DEITER 1
Urban Municipal
Collection - Library

CITY CLERK'S OFFICE

MEMORANDUM

****

URBAN MUNICIPAL

DEC 20 1994

GOVERNMENT DOCUMENTS

TO: Mr. J. Pavelka, C.A.O.
Management Team
Legislative Assistants

FROM: Mr. S. G. Hollowell
Acting City Clerk PHONE: 546-4645

SUBJECT: CITY COUNCIL MEETING DATE: 1994 December 14

Attached for your information and appropriate action is a copy of the minutes of the meetings held :

1994 December 1 (Inaugural Meeting)
1994 December 9 (Planning and Development Committee)
1994 December 13 (Regular Meeting)

Please undertake to carry out the directions of City Council.

S. G. Hollowell

att.

Inaugural Meeting of Hamilton City Council
1994 December 1
6:00 o'clock p.m.
Council Chamber, City Hall

Council met pursuant to Statute.

Present: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Monseigneur Harvey Roach gave the invocation.

* * * * * * * * * * * * * * * * * *

Mr. J. J. Schatz, City Clerk read the following certificate of the results of the Municipal Election:

To the Council of The Corporation of the City of Hamilton.

Members of Council.

I, J. J. SCHATZ, Clerk of the City of Hamilton, do hereby certify that on the 14th day of November, 1994, the following named were elected members of the City Council by a majority of votes:

MAYOR:		Bob Morrow
ALDERMEN:	Ward 1	Mary Kiss
		Marvin Caplan
	Ward 2	Vince Agro
		Bill McCulloch

Ward 3	Bernie Morelli Don Drury
Ward 4	Gerry Copps Dave Wilson
Ward 5	Dominic Agostino Fred Eisenberger
Ward 6	Tom Jackson Bob Charters
Ward 7	Henry Merling Terry Anderson
Ward 8	Don Ross Frank D'Amico

* * * * * * * * * * * * * * * * * *

His Worship Mayor Robert M. Morrow subscribed to the Declaration of Office and the Oath of Allegiance before Her Honour Judge Marjoh Agro followed by the Aldermen.

* * * * * * * * * * * * * * * * * *

A musical presentation was performed by the Bach Elgar Choir.

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The Scripture was read by Rabbi Morton Green, Adas Israel Synagogue.

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His Worship Mayor Robert M. Morrow addressed Council, Members of the Clergy and Special Guests followed by a Musical Presentation performed by The Hamilton Concert Band.

* * * * * * * * * * * * * * * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the First Report of the Nominating Committee with Mayor Morrow in the chair.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

NOMINATING COMMITTEE - FIRST REPORT

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the First Report of the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

BILL D-1

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill D-1 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider Bill D-1, with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on Bill D-1, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill D-1 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico. -17.

NAYS: -0. **CARRIED.**

Reverend Csaba Baksa, John Calvin Hungarian Presbyterian Church gave the closing prayer.

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City Council then adjourned at 7:40 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz
City Clerk

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

The Nominating Committee presents its **FIRST** Report and respectfully recommends:

1. Approval of the following appointments, for the 1995-1997 Term of City Council (except where otherwise noted):

(a) **Transport and Environment Committee**

Alderman H. Merling, Chairperson
Alderman V. Agro, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Kiss
Alderman B. Morelli
Alderman G. Copps
Alderman D. Agostino
Alderman T. Jackson
Alderman F. D'Amico

(b) **Parks and Recreation Committee**

Alderman T. Jackson, Chairperson
Alderman F. Eisenberger, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Caplan
Alderman Wm. McCulloch
Alderman B. Morelli
Alderman D. Wilson
Alderman T. Anderson
Alderman D. Ross

(c) **Planning and Development Committee**

Alderman D. Drury, Chairperson
Alderman F. D'Amico, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Caplan
Alderman Wm McCulloch
Alderman G. Copps
Alderman F. Eisenberger
Alderman B. Charters
Alderman H. Merling

(d) **Finance and Administration Committee**

Alderman B. Charters, Chairperson
Alderman D. Ross, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Kiss
Alderman V. Agro
Alderman D. Drury
Alderman D. Wilson
Alderman D. Agostino
Alderman T. Anderson

(e) **Hamilton-Scourge Steering Committee**

Alderman Wm. McCulloch Chairperson
Alderman G. Copps, Vice-Chairperson
Mayor R. M. Morrow
Alderman M. Caplan
Alderman B. Morelli
Alderman D. Agostino
Alderman B. Charters
Alderman T. Anderson
Alderman D. Ross

(f) **Hamilton Entertainment and Convention Facilities Inc.**

Mayor R. M. Morrow
Alderman T. Jackson
Alderman B. Charters
Alderman H. Merling
Alderman T. Anderson

(g) **Licensing Committee**

Alderman D. Drury
Alderman D. Wilson
Alderman F. Eisenberger

(h) **Public Library Board**

Alderman D. Wilson
Alderman T. Jackson

(i) **Hamilton Civic Hospitals Board of Governors**

Alderman B. Morelli (Mayor's Designate)
Alderman H. Merling

(j) **Committee of Adjustment**
(Term of Office to expire 1995 December 1)

Alderman B. Charters
Alderman H. Merling

(k) **Parking Authority**

Alderman V. Agro
Alderman D. Agostino
Alderman F. D'Amico

(l) **Canadian Football Hall of Fame & Museum Management Committee**

Alderman D. Agostino
Alderman T. Anderson
Alderman D. Ross

(m) **Hamilton Hydro Electric Commission**

Mayor R. M. Morrow

(n) **Hamilton Region Conservation Authority**
(Nominated for Appointment by Regional Council)

Alderman M. Kiss
Alderman M. Caplan
Alderman D. Wilson
Alderman F. Eisenberger
Alderman B. Charters
Alderman T. Anderson

(o) **Hamilton Mundialization Committee**

Alderman G. Copps
Alderman F. D'Amico

(p) **Art Gallery of Hamilton Board of Management**

Alderman Wm. McCulloch

(q) **Hamilton Region Arts Council Board of Directors**

Alderman D. Drury

(r) **Hamilton-Wentworth Creative Arts Board of Directors**

Alderman F. Eisenberger

(s) **Hamilton Safety Council**

Alderman F. D'Amico

(t) **Hamilton Society For the Prevention of Cruelty to Animals**

Alderman T. Jackson

(u) **Symphony Hamilton Board of Directors**

Alderman V. Agro

(v) **Senior Citizens Council**

Alderman B. Morelli
Alderman T. Jackson

(w) **Theatre Aquarius Board of Directors**

Alderman T. Anderson

(x) **United Way Board of Directors**

Alderman F. D'Amico (nominee)

(y) **Barton Street Business Improvement Area**

Alderman B. Morelli
Alderman D. Drury

(z) **Concession Street Business Improvement Area**

Alderman H. Merling
Alderman T. Anderson

(aa) **Downtown Hamilton Business Improvement Area**

Alderman V. Agro
Alderman Wm. McCulloch

(bb) **International Village Business Improvement Area**

Alderman V. Agro
Alderman Wm. McCulloch

(cc) **Main Street West Esplanade Business Improvement Area**

Alderman M. Kiss
Alderman M. Caplan

(dd) **Ottawa Street Business Improvement Area**

Alderman B. Morelli
Alderman D. Drury
Alderman G. Copps
Alderman D. Wilson

(ee) **Westdale Village Business Improvement Area**

Alderman M. Kiss
Alderman M. Caplan

(ff) **Hamilton-Wentworth Council on Smoking and Health**

Alderman M. Caplan

(gg) **Court of Revision**

Alderman M. Kiss
Alderman D. Drury
Alderman D. Ross

(hh) **Greater Hamilton Sports Corporation**

Alderman T. Anderson (Parks and Recreation Committee Chairman's Designate)

(ii) **Large Urban Section Executive of the Association of Municipalities of Ontario**

Mayor R. M. Morrow

(jj) **Selection Committee**
(Term of Office to expire 1995 December 1)

Alderman B. Morelli
Alderman D. Wilson
Alderman D. Agostino
Alderman H. Merling
Alderman D. Ross

(kk) **YMCA Board of Directors**
(nominee)

Alderman D. Ross

(ll) **Single Tier Bureaucracy Review Steering Committee**

Mayor R. M. Morrow
Alderman B. Charters
Alderman M. Caplan

(mm) **Municipal Non Profit (Hamilton) Housing Corp.**

Alderman D. Drury
Alderman D. Wilson
Alderman T. Jackson
Alderman B. Charters
Alderman H. Merling
Alderman T. Anderson
Alderman D. Ross

2. That Alderman F. Eisenberger be appointed Chairman of City Council Committee of the Whole for December 1994, January and February, 1995.

3. That leave be granted to introduce the following Bill:

Bill D-1: A By-law to Confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully submitted,

Mayor R. M. Morrow, Chairman
Nominating Committee

JJS/dg

Minutes of the Special
City Council Meeting
Friday, 1994 December 9
11:00 o'clock a.m.
Council Chambers, City Hall

The Council met.

Present: Acting Mayor Copps,
Aldermen Kiss, Caplan, McCulloch, Drury, Jackson, Charters, Ross, D'Amico.

Absent: Mayor Robert M. Morrow - other business
Alderman Agro - vacation
Alderman Morelli - other business
Alderman Wilson - other business
Alderman Agostino - civic business
Alderman Eisenberger - vacation
Alderman Merling - civic business
Alderman Anderson - vacation

Acting Mayor Copps called the meeting to order.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Planning and Development Committee be now considered in Committee of the Whole with Acting Mayor Copps in the Chair.

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT

Monster Homes - Ainslie Wood Neighbourhood

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill C-1 and Bill C-2 be now read a first time.

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider Bill C-1 and Bill C-2 with Acting Mayor Copps in the chair.

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on Bill C-1 and Bill C-2, be adopted. -

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill C-1 and Bill C-2, be now read a third time, signed, sealed and enrolled as By-laws.

Recorded vote.

YEAS: Acting Mayor Copps, Aldermen Kiss, Caplan, McCulloch, Drury, Charters, Jackson, D'Amico, Ross. -9.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 11:20 o'clock a.m.

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Taken as read and approved.

Acting Mayor G. Copps

J. J. Schatz, City Clerk
1994 December 9
JJS/dg

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIRST** Report and respectfully recommends:

1. That approval be given to City Initiative 94-C for a modification to Zoning By-law No. 6593 for the Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood, as shown on the attached map included as APPENDIX "A", to regulate the size and bulk of dwellings in the "C" (Urban Protected Residential, etc.) District, on the following basis:

   a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

      (i) Notwithstanding Section 9.(2) of Zoning By-law No. 6593, no building or structure shall exceed 2 storeys and 9.0 metres in height; and,

      (ii) That no building or structure shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 0.45; and,

      (iii) Notwithstanding Section 2.(2)J.(viiia) of Zoning By-law No. 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

         a) an attached garage;
         b) a detached garage; and,
         c) the floor area occupied by heating, air conditioning and laundry equipment.

      For any portion of the dwelling where the ceiling height exceeds 4.6 metres, then the gross floor area for that portion of the dwelling shall be multiplied by a factor of 1.9; and,

b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1335, and that the subject lands on Zoning District Maps W-33, W-34, W-40 to W-42 inclusive, W-44 to W-48 inclusive, and W-50 to W-52 inclusive be notated S-1335; and,

c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-33, W-34, W-40 to W-42 inclusive, W-44 to W-48 inclusive, and W-50 to W-52 inclusive for presentation to City Council; and,

d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That leave be granted to introduce the following Bills:

(a) C-1 A By-law to Amend Zoning By-law No. 6593 respecting Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood

(b) C-2 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton

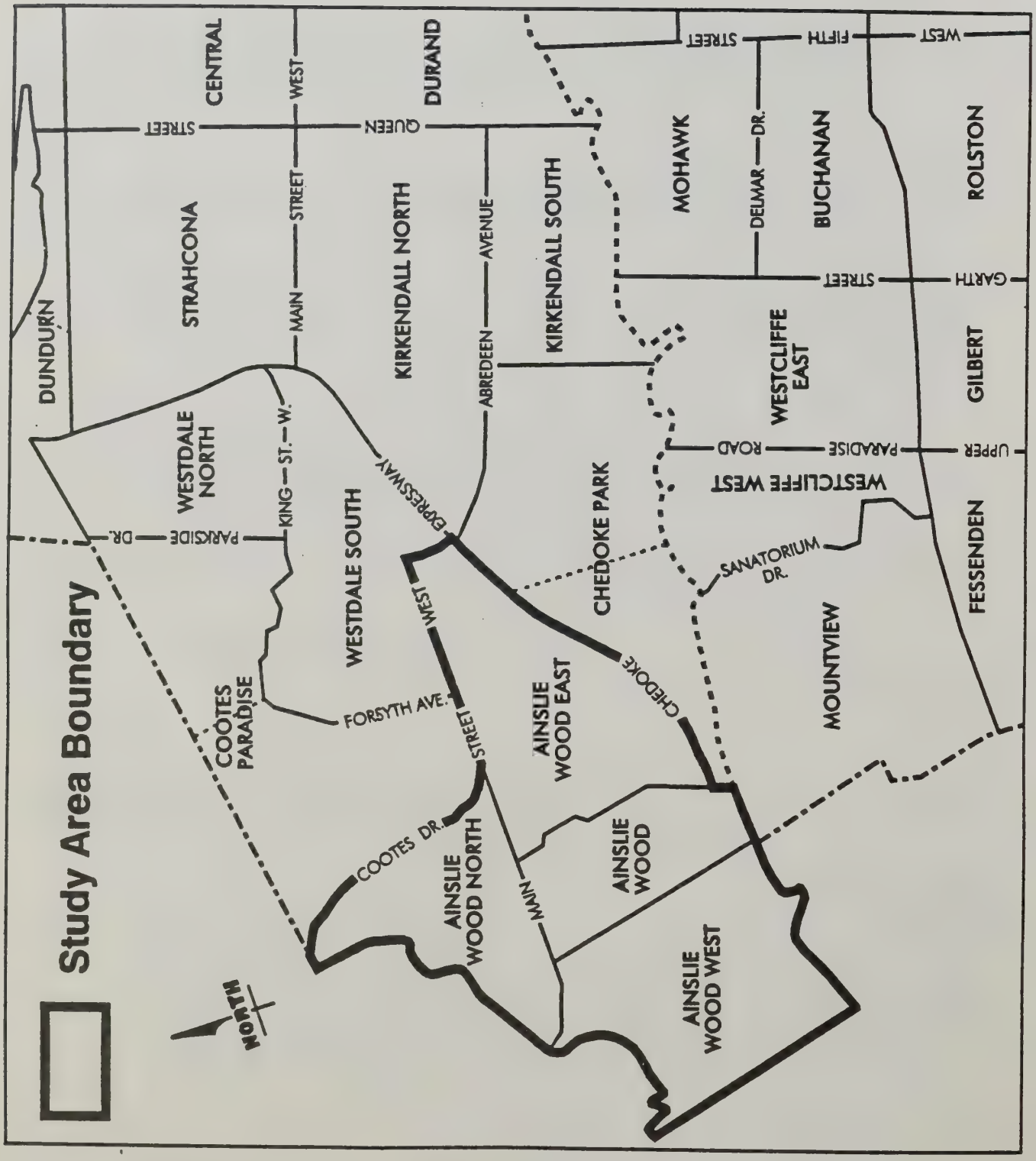
RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene Touzel
Secretary

1994 December 7

Appendix "A" as referred to in Section 1 of the FIRST Report of the Planning and Development Committee



Minutes of Hamilton City Council
Tuesday, 1994 December 13
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

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Father Stephen Deak, St. Michael Hungarian Greek Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held 1994 November 8, December 1 and the special meeting held 1994 December 9 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 November 14 from John and Corrine Martin, Hamilton, Ontario for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "C" (Urban Protected Residential, etc.) District, for lands located at No. 100 Stone Church Road East, Hamilton, Ontario.

   Received.

2. Application dated 1994 December 6 from 530149 Ontario Limited and Clara Ip, In Trust, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District for the property at No. 366 to 368 King Street West.

Received.

3. Application dated 1994 December 6 from The Regional Municipality of Hamilton-Wentworth for a modification to the "AA" (Agricultural) District, for lands located at 680 Van Wagner's Beach Road (Confederation Park), Hamilton, Ontario.

Received.

4. Letter dated 1994 November 30 from T. W. Woodhouse, General Manager, Hydro-Electric Commission for the City of Hamilton respecting general retail rates charged to customers for electrical consumption in 1995.

Received.

5. Letter dated 1994 November 28 from Duncan M. Beattie, Chairman, Hamilton Harbour Commissioners respecting New Development Charges By-law.

Referred to the Finance and Administration Committee.

6. Letter dated 1994 November 24 from J. J. Schatz, City Clerk respecting an objection to By-law 94-178 respecting property at 180 Walnut Street South, Hamilton, Ontario.

Received.

7. Letter dated 1994 November 24 from J. J. Schatz, City Clerk respecting an objection to By-law 94-179 respecting property at 1200 Upper James Street, Hamilton, Ontario.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 8 Re: Resolutions - Red Hill Valley Remediation

It was moved by Alderman Agostino and seconded by Alderman D'Amico that Section 8 of the First Report of the Parks and Recreation Committee for 1994 be amended by adding sub-section (c) as follows:

> That this approval be contingent upon an agreement from the Province for the alignment and construction of the roadway in the Red Hill Valley.

Recorded vote.

YEAS: Aldermen Agostino, Merling, D'Amico. -3.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, Ross. -14. **LOST.**

Section 9 Re: West Harbourfront Development Study Steering Committee

It was moved by Alderman Jackson and seconded by Alderman Agostino that Section 9 of the First Report of the Parks and Recreation Committee for 1994 be amended by adding sub-section (c) as follows:

> That Alderman Bob Charters be appointed to the West Harbourfront Development Study Steering Committee as a representative of the Planning and Development Committee.
>
> **CARRIED.**

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 1 Re: 1995 Mum Show

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Jackson. -10.

NAYS: Aldermen Drury, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.- 7.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT

Section 25 Re: Demolition Permit - 98 Ward Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

Section 26 Re: Removal of Development Control

It was moved by Alderman Charters and seconded Alderman Jackson that Section 26 of the Second Report of the Planning and Development Committee for 1994 be amended by deleting the words "respecting the removal of Development Control for those lands" starting in the third line and substituting in lieu thereof "to not remove all of the lands in Development Control". **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - FIRST REPORT

Section 14 Re: Bell Advanced Communications - automated parking infraction notices.

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson and his wife are employed by the parent Company.

ACTING MAYOR FOR THE MONTH OF JANUARY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman Bob Charters be appointed Acting Mayor for the month of January 1995. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0. **CARRIED.**

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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Consideration of the Bills (second reading).

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

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City Council then adjourned at 8:35 o'clock p.m.

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Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1994 December 13

SGH/dg

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIRST** Report and respectfully recommends:

1. That four-way stop control be implemented at the intersection of Bond Street North and Devon Place and that the City Traffic By-law 89-72 be amended accordingly.

2. (a) That a School Crossing Guard be assigned to the intersection of Hester Street and Greeningdon Drive; and,

   (b) That the Hamilton-Wentworth Regional Police and Traffic Department Parking Control staff be directed to continue monitoring the intersection for parking violations and stop sign violations; and,

   (c) That the existing "No Parking" regulation at the intersection of Hester Street and Greeningdon Drive be replaced with "No Stopping" regulation and that the City Traffic By-law 89-72 be amended accordingly.

3. (a) That stopping be prohibited on the west side of John Street North from Simcoe Street to 160 feet northerly therefrom; and,

   (b) That stopping be prohibited on the east side of John Street North from Simcoe Street to a point 151 feet northerly therefrom; and,

   (c) That the City Traffic By-law 89-72 be amended accordingly.

4. That a "Permit Parking" regulation be implemented on the south side of Forest Avenue commencing at a point 128 feet west of John Street South and extending to a point 23 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

5. That the existing "No Parking" regulation on the east side of David Avenue which commences at Crestwood Drive and extends to a point 152 feet northerly therefrom be shortened such that the regulation commences at Crestwood Drive and extends to a point 68 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

6. That the existing "Alternate Side Parking" regulation on Dunsmure Road between Walter Avenue North and Adeline Avenue be replaced with a "No Parking" regulation on the south side and unrestricted parking on the north side of the street and that the City Traffic By-law 89-72 be amended accordingly.

7. That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the west side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 23 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

8. (a) That a "Permit Parking" regulation be implemented on the south side of Bold Street commencing at a point 168 feet east of Locke Street South and extending to a point 22 feet easterly therefrom; and,

   (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Messina, No. 313 Bold Street; and,

   (c) That the City Traffic By-law 89-72 be amended accordingly.

9. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Friday" regulation on both sides of Avondale Avenue between Beach Road and Gertrude Street be removed and that the City Traffic By-law 89-72 be amended accordingly.

10. That a "No Parking" regulation be implemented on the north side of Angus Road commencing at Quigley Road and extending to Selway Court and that the City Traffic By-law 89-72 be amended accordingly.

11. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Grosvenor Avenue North between Campbell Avenue and a point 80 feet southerly be removed and that the City Traffic By-law 89-72 be amended accordingly.

12. That the existing "No Parking, Loading Zone" on the north side of Roxborough Avenue commencing at a point 30 feet west of Kenilworth Avenue and extending to a point 36 feet westerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

13. That the by-law entry allowing for a "Permit Parking" regulation on the north side of Stanley Avenue from a point 527 feet east of Dundurn Street South to a point 25 feet easterly therefrom, be rescinded.

14. That a "Commercial Vehicle Loading Zone, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the south side of King William Street commencing at a point 64 feet east of John Street North and extending to a point 22 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

15. (a) That a "Permit Parking" regulation be implemented on the east side of Fairfield Avenue commencing at a point 38 feet north of Vansitmart Avenue and extending to a point 27 feet northerly therefrom; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Cardwell, No. 356 Fairfield Avenue; and,

(c) That the City Traffic By-law 89-72 be amended accordingly.

16. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 11:00 p.m., Monday to Saturday" regulation on the south side of Whitney Avenue which commences 108 feet west of Mericourt Road and extends to a point 170 feet westerly therefrom be shortened such that the regulation commences 108 feet west of Mericourt Road and extends to a point 150 feet westerly therefrom; and,

(b) That the existing "No Parking" regulation on the south side of Whitney Avenue which commences 278 feet west of Mericourt Road and extends to a point 152 feet westerly therefrom be extended such that the regulation commences 258 feet west of Mericourt Road and extends to a point 172 feet westerly therefrom; and,

(c) That the existing by-law entry allowing for the implementation of a "No Parking, 6:00 p.m. to 8:00 a.m., Monday to Saturday" regulation on the south side of Whitney Avenue from 108 feet west of Mericourt Road to a point 25 feet westerly therefrom be rescinded; and,

(d) That the City Traffic By-law 89-72 be amended accordingly.

17. That stopping be prohibited on the south side of Hunter Street West from 135 feet west of Locke Street South to a point 170 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

18. That stopping be prohibited on the north side of Lucerne Avenue from 50 feet east of Holmesdale Avenue to a point 50 feet west of Holmesdale Avenue and that the City Traffic By-law 89-72 be amended accordingly.

19. That the existing "No Parking, 1:00 p.m. to 4:00 p.m., every 2nd Tuesday each month, April to November" regulation on the north side of Forest Avenue between the extended west curb line of Aurora Street and Wellington Street South, be replaced with a "No Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly.

20. That a "No Parking" regulation be implemented on the north and east sides of Leslie Avenue/West 23rd Street commencing at a point 118 feet east of Price Avenue and extending to the north property line of 83 West 23rd Street and that the City Traffic By-law 89-72 be amended accordingly.

21. That a "No Parking" regulation be implemented on the west side of Kings Forest Drive commencing at Nova Drive and extending to a point 88 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

22. That the existing "Permit Parking" regulation on the west side of James Street North commencing at a point 124 feet north of Macauley Street West and extending to a point 20 feet northerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

23. (a) That the existing "No Parking" regulation on the west side of Mary Street commencing at Wilson Street and extending to a point 278 feet northerly therefrom be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation; and,

    (b) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the east side of Mary Street between Wilson Street and Kelly Street be replaced with a "No Parking" regulation; and,

    (c) That the City Traffic By-law 89-72 be amended accordingly.

24. That a "No Parking" regulation be implemented on the east side of Spring Street commencing at a point 123 feet north of Main Street East and extending to a point 30 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

25. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 3rd Street commencing at Richwill Road and extending to the southerly end including the bulb of the court and that the City Traffic By-law 89-72 be amended accordingly.

26. That the existing "No Parking" regulation on the south side of Newlands Avenue which commences at Kenilworth Avenue North and extends to a point 142 feet westerly therefrom be extended, such that the regulation commences at Kenilworth Avenue North and extends to a point 185 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

27. That the existing "No Parking - Loading Zone" on the north side of Robinson Street which commences at a point 96 feet west of James Street South and extends to a point 20 feet westerly therefrom, be replaced with a "No Parking" regulation commencing at a point 115 feet west of James Street South and extending to a point 31 feet westerly therefrom, and that the City Traffic By-law 89-72 be amended accordingly.

28. That the entry in the City Traffic By-law 89-72 allowing for the implementation of a "Permit Parking" regulation on the east side of Fairfield Avenue from a point 368 feet north of Britannia Avenue to a point 18 feet northerly therefrom be rescinded.

29. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the south side of Crockett Street between East 34th and East 35th Streets be shortened such that the regulation commences at East 35th Street and extends to a point 118 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

30. (a) That a "Permit Parking" regulation be implemented on the south side of Cumberland Avenue, commencing at a point 48 feet east of the extended east curb line of Balsam Avenue and extending to a point 158 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

    (b) That the Director of Traffic Services be authorized to issue, upon request one parking permit to the residents of Nos. 431 and 423 Cumberland Avenue and two parking permits to the residents of Nos. 425 and 427 Cumberland Avenue, to a maximum of seven permits.

31. (a) That a "Permit Parking" regulation be implemented on the west side of Cameron Avenue South commencing at a point 25 feet north of Central Avenue and extending to a point 28 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

    (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Frid, No. 54 Cameron Avenue South.

32. That the Director of Traffic Services be authorized to issue a Time Limit Exemption Permit to Mr. Jason Boult, No. 123 St. Joseph's Drive.

33. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" be implemented on the north side of Ruby Street commencing at a point 32 feet east of Rushdale Drive and extending to a point 38 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

34. That the existing "Commercial Vehicle Loading Zone, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation on the west side of Kinrade Avenue, commencing at a point 580 feet south of Barton Street East and extending to a point 36 feet southerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

35. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first seven eligible applicants residing in the apartment building at No. 530 Aberdeen Avenue.

36. That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Queensdale Avenue West commencing at West 2nd Street and extending to a point 68 feet west of Upper James Street and that the City Traffic By-law 89-72 be amended accordingly.

37. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the south side of Nelligan Place commencing at a point 231 feet east of Erin Avenue and extending to a point 22 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

38. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Grenfell Street between Holly Avenue and Benson Avenue and that the City Traffic By-law 89-72 be amended accordingly.

39. (a) That a "Permit Parking" regulation be implemented on the north side of Canada Street commencing at a point 194 feet west of Locke Street South and extending to a point 18 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

    (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Luigi Mattina, No. 134 Canada Street.

40. That the existing "Permit Parking" regulation on the north side of Peter Street commencing at a point 316 feet west of Queen Street North and extending to a point 40 feet westerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.

41. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of Leslie Avenue between West 33rd and West 34th Streets and that the City Traffic By-law 89-72 be amended accordingly.

42. That a "Wheelchair Loading Zone, 9:00 a.m. to 8:00 p.m., seven days a week" regulation be implemented on the west side of Oak Avenue commencing at a point 208 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

43. That the existing "Permit Parking" regulation on the south side of Dunsmure Road commencing at a point 78 feet west of Glassco Avenue and extending to a point 20 feet westerly therefrom and on the north side of Dunsmure Road commencing at a point 85 feet west of Glassco Avenue and extending to a point 20 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

44. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the north side of Charlton Avenue West commencing at a point 120 feet west of Locke Street South and extending to a point 41 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

45. (a) That the existing residential boulevard parking agreement registered as instrument no. 194290 C.D. to the property at No. 939 Central Avenue be discharged, at the property owner's expense; and,

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and,

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

46. (a) That the existing residential boulevard parking agreement registered as instrument no. 195897 to the property at No. 72 Leeming Street be discharged, at the property owner's expense; and,

(b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement; and,

(c) That the owner of the property be permitted to execute a revised residential boulevard parking agreement.

47. That eastbound traffic on Whitney Avenue be required to stop for northbound and southbound traffic on Bowman Street and that the City Traffic By-law 89-72 be amended accordingly.

48. That northbound traffic on Carousel Avenue be required to stop for eastbound and westbound traffic on Fieldway Drive and that the City Traffic By-law 89-72 be amended accordingly.

49. That all-way stop control be implemented at the intersection of Hughson Street North and Rebecca Street and that the City Traffic By-law 89-72 be amended accordingly.

50. That westbound traffic on Chester Avenue be required to stop for northbound and southbound traffic on Appleblossom Drive and that the City Traffic By-law 89-72 be amended accordingly.

51. That westbound traffic on Lynette Drive be required to stop for northbound and southbound traffic on Claudette Gate and that the City Traffic By-law 89-72 be amended accordingly.

52. That northbound traffic on Fairington Crescent be required to stop for eastbound and westbound traffic on Eastgate Court and that the City Traffic By-law 89-72 be amended accordingly.

53. That northbound traffic on Tara Court be required to stop for eastbound and westbound traffic on Summercrest Drive and that the City Traffic By-law 89-72 be amended accordingly.

54. That four way stop control be implemented at the intersection of Fairfield Avenue North and Roxborough Avenue and that the City Traffic By-law 89-72 be amended accordingly.

55. That a School Crossing Guard be assigned to the intersection of Cannon Street East and Wentworth Street North during the morning, lunch and evening school crossing periods.

56. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), for parking enforcement services for 1995, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Position	**Billing Rate Per Hour**
Sergeant	$11.91
Commissionaire	$10.98

57. That a purchase order be issued to 3M Canada Inc., London, for the supply and delivery of reflective sheeting as and when required during 1995 by the Traffic Department, at the unit prices attached, being the lowest or only bid received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through Traffic Sign Materials Account No. CH56154 75999.

58. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Lucy Smith
David Jack
John Pelletier

(b) That the following appointments as Parking Control Officers be repealed:

Gordon Peddle
Leo Lavoie
Howard Murray

59. That City Council enact the By-law to authorize an increase in the City's Share of $8,600. for the construction of local improvements of a combined sidewalk and curb on the south side of Brock Street from John Street North to approximately 24 m east of Hughson Street North.

60. That the proposed alteration of Ferguson Avenue North from Cannon to Barton Street to provide for a road width varying from 8.5 m to 11.0 m, be advertised under Section 300 of the Municipal Act being Chapter M.45 of the Revised Statutes of Ontario 1990 and that the necessary By-law be prepared by the Director of Public Works and advertised by the City Clerk.

61. That the City Treasurer be directed to close the following Capital Project account with any excess funding to be transferred to its original source of funding:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source of Funding
CF 5200 608651001	**Centralized Computer Control System**	**$300,000.**	**$299,971.28**	**$28.72**	**Reserve for Capital (Un-classified) & Debentures**

62. That the Acting Director of Public Works be given the authority to extend the existing tender and terms of agreement with Jensen Tire for the sale and maintenance of tires to 1995 April 28.

63. That the application of the Chau, Hung Tam, owner of 115 Park Street North to erect and maintain the encroachment of an awning measuring 0.91m x 12.91m onto the Park Street road allowance, be approved provided:

    (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

    (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

    (c) That the applicant pay a first year fee of $252. and an annual fee of $20.

64. That the applications to retain inadvertent encroachments at the locations outlined on Appendix "A", appended hereto, be approved provided:

    (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

    (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

    (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.

65. (a) That the submitted schedule of works be adopted for inclusion in the Modified Subdivision Agreement with the Owners for the estimated costs of services on;

    "LAND SEVERANCE APPLICATIONS H-46 TO 49-94", Hamilton

    City's Share $ 2,635. Owner's Share - $23,892

(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owners of "Land Severance Applications H-46 to 49-94", Hamilton as well as any other related documents required for this development subject to the approval of the City Solicitor; and,

(c) That additional funding in the amount of $ 45,000. for the City's share of municipal services in "Beaverton Estates", subdivision originally approved by Council on June 29, 1990, be approved; and,

(d) That the City's share of services for "Beaverton Estates", Hamilton ($ 45,000) and "Land Severance Applications H-46 to 49-94", Hamilton ($ 2,635), be approved and that the Finance and Administration Committee recommend the source of funding for these projects.

66. (a) That the following City land be incorporated into the streets:

Gardiner Drive	Block 11	Plan 62M-333
Terni Boulevard	Block 30	Plan 62M-733
Ewen Road	Part 1	Plan 62R-6555
Upper Wellington Street	Parts 4,6,8,9	Plan 62R-12407
Jacqueline Boulevard	Part 2	Plan 62R-13161

(b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council.

(c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the By-laws.

67. (a) That an Option to Purchase, duly executed by Marilyn Bruzzese on 1994 October 31 and scheduled to close on or before 1995 February 3 for firstly, a release subject to the terms of this Option of all rights, title and interest of the owner in her right-of-way over the City land known municipally as 874 West 5th Street, Hamilton, more specifically being described as Parts 1 and 2 on Plan 62R-11971. Secondly, a release subject to the terms of this Option of all rights, title and interest of the owner in her right-of-way over the remainder of the City land known municipally as 874 West 5th Street, Hamilton, more specifically being described as Part 3 on Plan 62R-11971, be approved and completed and the purchase price of $2. be charged to Account No. CH5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands); and,

(b) That it is understood and agreed that all the rights, title and interest of the Owner in her right-of-way over the City land being Part 3, Plan 62R-11971 are to cease at such time as Part 3, Plan 62R-11971 and Part 5, Plan 62R-11860 are incorporated into the road allowance for the highway extension of Annabelle Street, Hamilton; and,

(c) That it is understood and agreed that the closing of this Option to Purchase be conditional upon the City of Hamilton registering a by-law lifting the One Foot Reserve being Parcel "E", Plan 823 by incorporating said Parcel into the public highway known as Annabelle Street, Hamilton; and,

(d) That the owner agrees that her sale of the said release to the City shall be carried out by the owner entering into a release agreement or a quit claim deed as may be required by the City on closing; and,

(e) That the City Solicitor be directed to prepare all the necessary documents; and,

(f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

68. That a One Foot Reserve measuring 0.305 metres x 53.146 metres (1 foot x 174 feet) more or less, being composed of part of Lot 17, Concession 7, shown as Part 27 on Plan 62R-11788 be conveyed to the Region for the sum of $1. and be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).

69. (a) That the Chairman or his designate be authorized to attend the Ontario Good Roads Association Annual Conference to take place on 1995 February 19 to February 22, Royal York Hotel, Toronto, Ontario.

(b) That costs for attendance be charged to Aldermen Travel Account No. CH55201 10010 from the 1995 Operating Budget.

70. (a) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton has no objection to Premier Waste Systems receiving an amendment to their Certificate of Approval No. A100210, located at 306 Lake Avenue North, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry and that all applicable City By-laws are complied with fully; and,

(b) That a copy of this report be forwarded to the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) for their consideration in the preparation of the amendments to the Certificate of Approval which regulate the operation of Premier Waste Systems.

71. That four-way stop control be implemented at the intersection of Belmont Avenue and Roxborough Avenue and that City Traffic By-law 89-72 be amended accordingly.

72. That three-way stop control be implemented at the intersection of Ottawa Street South and Sherbrooke Street and that the City Traffic By-law 89-72 be amended accordingly.

73. That four-way stop control be implemented at the intersection of Maple Avenue and Garside Avenue South and that the City Traffic By-law 89-72 be amended accordingly.

74. That, when a vacancy occurs in either the position of Traffic Signal Specialist or the position of Traffic Signal Technician, either a Traffic Signal Specialist or a Traffic Signal Technician may be posted as a replacement.

75. (a) That in accordance with the Provincial Government's 3Rs Regulations which mandate leaf and yard waste composting effective January 1, 1995, consideration be given in the 1995 current budget deliberations for the Director of Public Works to initiate a leaf and yard waste management plan in accordance with the following criteria:

i. **Education**

A primary focus will be placed on a comprehensive education and promotional campaign to encourage citizen participation in mulching and recycling of leaf and yard waste as opposed to the collection of this compostable material. The campaign would involve mascots, pamphlets, newspaper advertising, radio commercials, billboards on Public Works vehicles, workshops and visits to area schools at a cost not to exceed $106,000.; and,

ii. **Backyard Composters**

The City of Hamilton should fully support the use of backyard composters and offer a financial contribution to the Region of Hamilton-Wentworth's campaign in the amount of $14,000. to encourage the Region to enhance their backyard composting program through a specific "blitz" of subsidized composters for the target area, Crown Point East neighbourhood, to assess the merits of composting in diverting waste; and,

iii. **Leaf and Yard Waste Collection/Diversion Alternatives**

Recognizing that the 3Rs dictate that municipalities must provide collection or acceptance of leaf and yard waste in a manner that is reasonably convenient to the generator, a range of diversion and collection variables must be studied. The evaluation of available methodologies will lead to an optimum understanding of service and cost implications with a 1995 current budget cost not to exceed $20,000.

Information from these pilot projects would be applied to the entire City area for a cost/waste diversion analysis in a report to Committee and Council in anticipation of a City wide collection program beginning in 1996; and,

(b) That the Regional Municipality of Hamilton-Wentworth be requested to provide convenient leaf and yard waste transfer station services to the City of Hamilton and transportation from the transfer location of all leaf and yard waste collected by the City to a composting facility either operated or contracted by the Region; and,

(c) That the Regional Municipality of Hamilton-Wentworth be requested to include the transfer station tipping fees and composting costs for the City of Hamilton leaf and yard waste within the Regional Levy; and,

(d) That the Regional Municipality of Hamilton-Wentworth be requested to direct any surplus funds from the City of Hamilton portion of the Regional Waste Management levy as a result of the anticipated savings from the new disposal contract in 1996 and the diversion of an estimated 20% leaf and yard waste, to be used for the timely implementation and operation of the City of Hamilton's Leaf and Yard Waste Program; and,

(e) That this proposal be forwarded to the Ministry of Environment and Energy (M.O.E.E.) for their consideration at this time as the costs of implementing a full scale program in light of our contractual commitment would ultimately lead to the cancellation of high priority core programs; and,

(f) That the Director of Public Works be authorized to apply to the M.O.E.E. for grant subsidy for the capital costs in establishing the Leaf and Yard Waste Program.

76. That leave be granted to introduce the following Bills:

(a) A-1 A By-law to Incorporate Block 11, Plan 62M-333 into Gardiner Drive

(b) A-2 A By-law to Incorporate Block 30, Plan 62M-733 into Terni Boulevard

(c) A-3 A By-law to Incorporate Part 1, Plan 62R-6555 into Ewen Road

(d) A-4 A By-law to Incorporate Parts 4, 6, 8 and 9 Plan 62R-12407 into Upper Wellington Street

(e) A-5 A By-law to Incorporate Part 2, Plan 62R-13161 into Jacqueline Boulevard

(f) A-6 A By-law to Amend By-law No. 89-72 to Regulate Traffic

(g) A-7 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson, Secretary

1994 December 5

Appendix "A" as referred to in Section 64 of the FIRST Report 1994 December 13 of the Transport and Environment Committee

Location	Owner	Type of Encroachment	First Year Annual	File Number
295 John St. N.	A. Cottone and P. Walker	Steps measuring 0.45′ x 10′	$158/20.	T103-50 1108
114 Ferrie St. E.	J. Mamodeiro	Veranda & Steps measuring 5.0′ x 3	$158/20.	T103-50 1119
321 MacNab St. N.	E. Thornberry	Steps measuring 1.06m x 0.272m	$158/20.	T103-50 1132
13 Clyde St.	A. Rego	Porch measuring 0.75m x 2.21m	$158/20.	T103-50 800
360 Bay St. N.	I. Hudson	Step measuring 1.5m x 0.56m and Balcony measuring 4.5m x 1.14m	$252/20.	T103-50 1127
366 Cope Street	N. Nedich	Veranda measuring 5.69m x 0.25m	$158/20.	T103-50 1118
39 Campbell Avenue	Kuzemczak	Steps measuring 1.12m x 0.84m	$158/20.	T103-50 1131
262 Roxborough Ave	M & C Murphy	Steps measuring 1.224m x 0.914m	$158/20.	T103-50 1123
502 Bay St. North	Cowan	(SE) Steps measuring 1.86m x 1.27m (NE) Steps measuring 2.19m x 0.90m Wall and Eaves measuring 9.30m x 1.38m	$158/20.	T103-50 1134
134 Sanford Ave N	H. Mattinson	Steps measuring 1.16m x 1.40m Porch measuring 0.61m x 3.51m	$158/20.	T103-50 1133

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIRST** Report and respectfully recommends:

1. (a) That approval be given to the Organizing Committee of the 1994 Canadian Junior/Juvenile Golf Championships to host the 1996 Ontario Junior/Juvenile Golf Championships in Hamilton in conjunction with the Hamilton Sesquicentennial Celebrations; and,

   (b) That the Organizing Committee report back to the Parks and Recreation Committee on the details of the event including dates, location, etc.

2. (a) That approval be granted to enter into an agreement with Automatic Mart Corp., (Fred Ernst, Owner and President) for a period of two years beginning 1995 January 1, and scheduled to terminate 1997 December 31, for the supply, installation and service of Sports Card Vending Machines at selected City Arenas and Recreation Centres; and,

   (b) That the City Solicitor be requested to draft the appropriate agreement; and,

   (c) That this agreement include the mutual right to discontinue this service in whole or in part, given 30 days notice from one party to the other, without penalty; and,

   (d) That the City retain the right to approve all sports cards, playing cards, stickers, subject matter being sold within its facilities pertaining to this agreement; and,

   (e) That revenue received from this contract be deposited in Concession Fee Accounts for each specific facility.

3. That funds in the amount of $60,000. previously set aside for a comprehensive audit of the Culture and Recreation Department be carried forward to 1995 and used to fund the costs of financial consulting assistance for the Department.

4. (a) That the organizational format for the Cemetery Division, as outlined in Appendix "A" attached hereto, be approved for implementation on 1995 January 1, with referral to the Human Resource Centre respecting job descriptions and salary classifications, recognizing a net current budget reduction of $65,000; and,

(b) That as a component of the cemetery restructuring, the position of Superintendent of Operations, Cemetery Division, which will be vacant on 1995 January 1, through early retirement, be eliminated and two vacant labourer positions be filled on a seasonal basis; and,

(c) That a position of Support Clerk I, Cemetery Division be created; and,

(d) That the City Solicitor be authorized and directed to prepare a By-law to amend By-law 8861 to reflect the changes as per Appendix "B" attached hereto; and,

(e) That the Cemetery Business Plan, outlined in Appendix "C" attached hereto, be approved for phased implementation; and,

(f) That the City Treasurer and Manager of Cemeteries be authorized to develop a payment plan system for people using our cemetery services; and,

(g) That the Manager of Cemeteries be authorized to develop and print an informational/advertising brochure at a cost not to exceed $10,000. and funded from within the overall 1995 Cemetery Division current budget; and,

(h) That the Tariff of Charges for City-owned Cemeteries, as set out in Appendix "D", be implemented on 1995 January 1 upon receipt of approval from the Ministry of Consumer and Commercial Relations, Cemetery Branch.

5. That the Director of Public Works be authorized to notify the Ontario Parks Association of our willingness to host the Annual General Meeting and Seminar in 1996 instead of 1997.

6. (a) That the Senior Director of Roads be authorized and directed to reconstruct the Chedoke Mountain Steps leading from Cliffview Park to Chedoke Golf Course; and,

(b) That the City's share of $378,000. of the estimated total cost of $458,000. be charged to Account No. CF629449012.

7. That City Council approve the following effective 1995 January 1:

(a) That the Treasurer be authorized to establish a Reserve account for the New Mum Show Sub-Committee and the funds on deposit and all other fundraising monies received by the current Sub-Committee be credited to this account; and,

(b) That monies in this Reserve be utilized by the Sub-Committee to finance future mum shows and to purchase items and/or services required for future fundraising events; and,

(c) That all expenditures charged to the Reserve account be authorized by the Secretary of the New Mum Show Sub-Committee in accordance with requisitions issued by the New Mum Show Sub-Committee signed by two of the following:

New Mum Show Sub-Committee Chairperson
New Mum Show Sub-Committee Treasurer
New Mum Show Sub-Committee Chairperson in Charge of Promotions; and,

(d) That the Treasurer be authorized to open a City of Hamilton "deposit only" account for the Sub-Committee at the Canadian Imperial Bank of Commerce; and,

(e) That the balance of monies raised by the Mum Show Committee (prior to becoming a Sub-Committee of City Council) which are on deposit with the Province of Ontario Savings Office be transferred to the City of Hamilton; and,

(f) That the Sub-Committee submit an operating budget to the Parks and Recreation Committee for approval for 1995 and subsequent years.

8. (a) That the resolutions forwarded by the Honourable David Crombie concerning the Red Hill Valley Remediation be modified as follows:

i. That the Council of the Corporation of the City of Hamilton supports the environmental cleanup/remediation of the Red Hill Creek Valley, and supports the development of the World Biosphere Interpretative Centre as long as it does not prejudice any potential road alignment in the Red Hill Valley and does not include any changes in the ownership of this land; and further

ii. That the proposed work commence as soon as possible in co-operation with the Waterfront Regeneration Trust, the Province of Ontario, the Hamilton Region Conservation Authority and the City of Hamilton; with the Hamilton Region Conservation Authority being the co-ordinating agency; and further

iii. That, in order to facilitate the completion of this co-operative project, the City of Hamilton and the Hamilton Region Conversation Authority enter into a joint management agreement for an initial two-year term to permit the proposed work to be undertaken on City-owned property; and further

iv. That the terms of the joint management agreement be brought back to City Council and the Conservation Authority by 1995 January 31, for consideration; and,

(b) That the basis for the City of Hamilton's position in formulating a joint management agreement between the City and the Hamilton Region Conservation Authority for the purposes of advancing the Red Hill Creek Valley Remediation package detailed in Appendix "E", be approved.

9. (a) That the term of current members serving on the West Harbourfront Development Study Steering Committee be confirmed to coincide with the completion of the West Harbourfront Development Study; and,

(b) That Alderman William McCulloch be appointed as the elected representative of the Parks and Recreation Committee to replace Regional Chairman Terry Cooke.

(c) That Alderman Bob Charters be appointed to the West Harbourfront Development Study Steering Committee as a representative of the Planning and Development Committee. **ADDED.**

10. (a) That approval be given to issue a purchase order to Arrowhead Paving in the amount of $95,264.80, excluding G.S.T., to install concrete pathways, rubberized asphalt and a creative play area in Beasley Park in accordance with the revised plan prepared by the Parks Division staff, the specifications issued by the Purchasing Division, with the vendor's proposal, and be funded from the Central Beasley P.R.I.D.E. H.INT Account Number CF5200 429102003; and,

(b) That approval be given for the actions of the Chief Administrative Officer for authorizing construction to proceed on this work recognizing that this work is to be completed as soon as possible, and therefore the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy that states, "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision be reported to the next regular meeting of City Council".

11. That approval be given to ratify the actions taken by the Director of Public Works through the Manager of Parks to increase the existing contract with Arrowhead Paving by $29,000. to allow for additional (502m^2) concrete paving of the existing gravel pathways at Beasley Park and this additional amount be funded from the Central Beasley P.R.I.D.E. H.INT. Account Number CF5200 429102003.

12. (a) That the City of Hamilton endorse the Letter Carriers Alert Programme, through which seniors may register voluntarily to have their letter carrier watch for accumulated mail or other indications of possible trouble and subsequently notify a pre-named contact person of the seniors potential need for assistance; and,

(b) That the Letter Carriers Alert Programme issue be referred to the Regional Municipality of Hamilton-Wentworth - Services for Seniors Sub-Committee.

Respectfully Submitted,

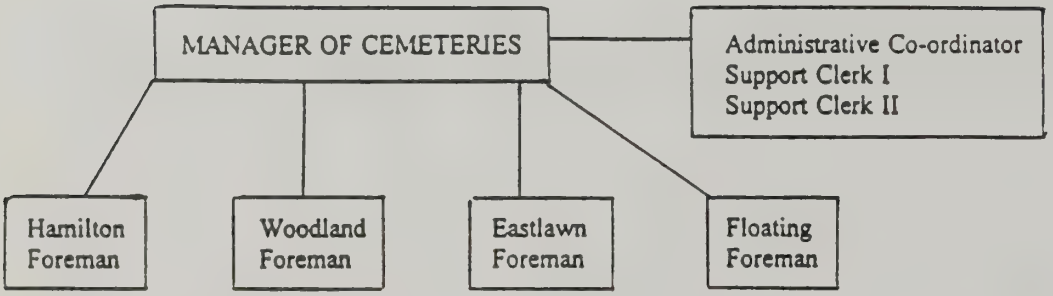
ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

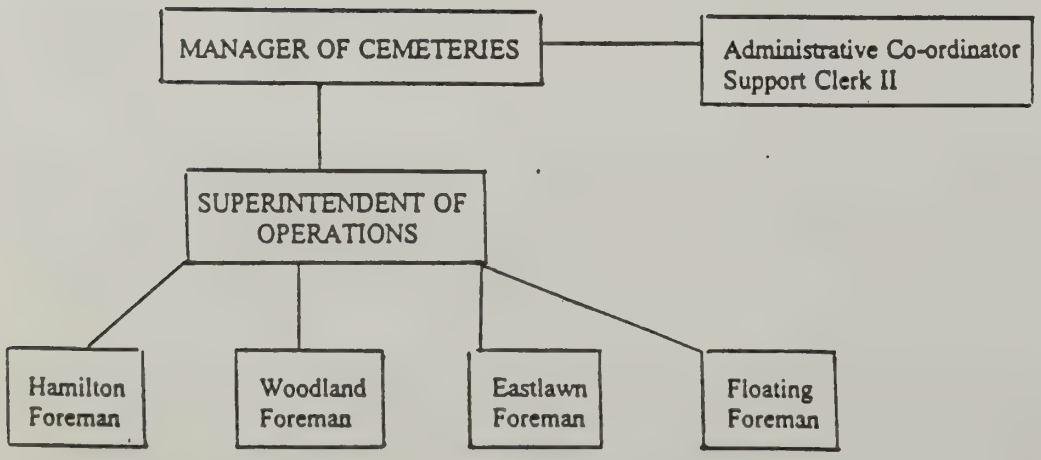
1994 December 6

Appendix "A" as referred to in Section 4 of the FIRST Report of the Parks and Recreation Committee

PROPOSED ORGANIZATIONAL FORMAT
EFFECTIVE JANUARY 1, 1995



EXISTING ORGANIZATIONAL FORMAT



1994 December 13

Appendix "B" as referred to in Section 4 of the FIRST Report of the Parks and Recreation Committee

THE BY-LAWS

of the

HAMILTON MUNICIPAL

CEMETERIES

Contents

Preface 1
Administration 1
Definitions 4
Contracts & Transfer of Interment Rights 6
Interments and Disinterments 9
Care of Lots - General 12
Care of Lots - Flowers 14
Monuments and Markers - General Information 15
Monuments 16
Markers 19
Rules for Monument Dealers, Contractors and Workers 20
Columbarium Regulations 22
Mausoleum Regulations 23
Rules for Visitors 24

Preface:

These By-laws govern the following cemeteries:

Hamilton Cemetery	Stoney Creek Cemetery
Woodland Cemetery	Trinity Cemetery
Eastlawn Cemetery	St. Peter's Cemetery
Burkholder Cemetery	Bartonville Cemetery
Mt. Hamilton Cemetery	Barton Stone Cemetery
Smith's Cemetery	St. George's Cemetery
Binkley Cemetery	Ryckman's Cemetery

Mansion of Memories Mausoleum

And any Cemetery which may in the future become the responsibility of the City of Hamilton.

The Council of the Corporation of the City of Hamilton in the discharge of their responsibilities, appeal to the public to aid them by following these by-laws, which have been adopted for the improvement and upkeep of the cemetery, to keep it a becoming and respectful place for the burial of the dead.

The above mentioned Cemeteries are licensed to act as cemeteries in accord with the Cemeteries Act, R.S.O., 1990.

These By-laws are adopted for the mutual protection of the Interment Rights Holders, the staff, the general public and the City of Hamilton.

All Interment Rights Holders, visitors, cemetery employees, person working directly or indirectly for Interment Rights Holders and all graves or lots shall be subject to these rules and regulations as well as amendments or alterations as shall be adopted by the City of Hamilton.

It is our hope that by a co-operative effort we can keep the Cemeteries attractive and peaceful.

A) Administration

Ownership

1. The Corporation of the City of Hamilton reserves full and complete control and management of all assets of the Corporation including but without limiting the generality of the foregoing: land, buildings, plantings, roads, utilities, books and records of the cemetery and complete authority to administer these by-laws.

Manager's power

2. The Manager shall have custody of the Cemetery under the direction of the Corporation. No interment or removal of bodies shall take place without notice to the Manager, who shall see that a proper Burial Permit or other certificate required by law is furnished in each instance.

Disclaimer

3. The Corporation expressly disclaims all responsibility for loss or damage from causes beyond their control and especially from damage caused by the elements, and acts of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, accidents, invasion, insurrections, riots, or order of any military or civil authority, whether damage be direct or collateral.

Precaution to protect

4. The Corporation shall take reasonable precautions to protect the property of Interment Rights Holders but it assumes no liability or responsibility for the loss of or damage to any article of any type that is placed on any lot or grave.

Ownership

5. All Cemeteries listed above are owned and operated by the City of Hamilton.

Reporting Structure

6. Hamilton Municipal Cemeteries is a division of the Public Works Department and reports to the Parks and Recreation Committee through the Director of Public Works, herein after called the Cemeteries.

Manager's Authority

7. The Manager of Cemeteries or his representative shall uphold the provisions of the By-laws and the Cemeteries Act. The manager has the authority to make final and binding decisions based on the By-laws. Appeals to the Manager's decision can be made to the Director of Public Works.

Duties

8. Duties of Hamilton Municipal Cemeteries:
   a) To manage and maintain all cemeteries under its jurisdiction
   b) To uphold the provision of the Cemetery Act.
   c) To uphold the provision of the Cemetery By-laws.

Rights

9. Hamilton Municipal Cemeteries have the right to enlarge, reduce, replot, and/or change the boundaries or grade of the cemeteries.

Discrimination

10. All decisions made by the City and the Cemeteries shall be made without regard to race, creed, colour, national origin, sex, marital status, religion, ancestry, mental or physical handicap or age.

Notice

11. All notices required by any By-law or regulation to be given to any Interment Rights Holder may be given personally, or may be mailed to the last known post office address of such Rights Holder or his legal personal representatives, and proof that such notice was so mailed shall be good and proof that such notice was given.

Headings

12. The headings and marginal notes are not part of the By-laws and are intended only for the assistance of the reader and are not binding.

B) Definitions

1. "Cemetery" means land set aside to be used for the interment of human remains and this includes Mausoleum, Colombarium or any other structure intended for the interment of human remains.
2. "Ministry" means the Ministry of Consumer and Commercial Relations for the Province Ontario.
3. "Corporation" means the Corporation of the City of Hamilton.
4. "Council" means the Hamilton City Council.
5. "Treasurer" means the Treasurer of the City of Hamilton.
6. "Bylaw" when used in relation to a cemetery, means the rules under which a cemetery is operated.
7. "Manager" means the Manager of Hamilton Municipal Cemeteries as appointed by Council.
8. "Grave" means an area of land in a cemetery containing, or set aside to contain, human remains and includes a tomb, crypt or compartment in a mausoleum and a niche or compartment in a columbarium.
9. "Adult Grave" means any burial space intended for an adult, and having a minimum size of approximately 0.91 meters (3 feet) by 2.74 meters (9 feet).
10. "Children's Grave" means any burial space of 0.91 meters (3 feet) by 1.83 meters (6 feet).
11. "Infant Grave" means any burial space intended for an infant, and having a minimum size of 45.72cm (18 inches) by 0.91 meters (3 feet).
12. "Cremation Grave" means any burial space intended to receive not more than 2 (two) cremated remains and having a minimum size of 45.72cm (18 inches) by 1.22 meters (4 feet).
13. "Interment Rights" includes the right to require or direct the interment of human remains in a lot, grave etc..
14. "Interment Rights Holder" means a person with Interment Rights with respect to a lot or grave and includes a purchaser of Interment Rights under the Cemeteries Act, being chapter C.3 of the Revised Statutes of Ontario, 1990, or a predecessor of that Act.
15. "Plan" means the plan of the cemetery, approved by the Ministry of Consumer and Commercial Relations for Ontario.
16. "Lot" means two or more graves in which the rights to inter have been sold as a unit.
17. "Register" means electronic, or written records of the Cemeteries, kept in accordance with the Cemeteries Act.
18. "Certificate of Interment Rights" means the certificate issued by the Corpora-

tion to the purchaser of Interment Rights in either a lot, grave or niche.

19. "Care and Maintenance Fund" means the trust fund in which all monies received by the Corporation for the care and maintenance of lots, graves, markers and monuments have been invested.

20. "Trust funds" means those funds in which a trustee may invest, which are defined in the "Trustee Act", R.S.O. 1990, CH. T. 23

21. "Monument" means any permanent memorial projecting above the ground level and situated on a base.

22. "Marker" means any memorial of Granite or bronze on a granite base, set flush with the surface of the ground, and used to mark the location of a lot or grave. A marker also may mean an ornament affixed to or intended to be affixed to a lot such as a columbarium niche or other structure or place intended for the deposit of human remains.

23. "Corner-posts" means any stone or other land markers set flush with the surface of the ground and used to indicate the location of a lot.

24. "Mausoleum" means a building or structure, other than a columbarium, used as a place for the interment of the human remains in sealed crypts or compartments.

25. "Columbarium" means a structure designed for interring cremated human remains in sealed compartments.

26. "Cremorial" means a structure designed for interring of cremated remains.

27. "Tariff of Charges" means a price list set by Council.

28. "Resident" means a person living in the City of Hamilton at the time of death or purchase of a service or product. It may also be a person who does not reside within the city limits but whose name appears on the assessment roll.

C) Contracts & Transfer of Interment Rights

Right to Sell

1. No person shall sell Interment Rights unless that person does so on behalf of the Corporation.

Sale of Interment Rights

2. Interment Rights in lots and graves may be purchased from the Corporation at the rates filed with the Ministry and according to the plans approved by the Ministry of Consumer and Commercial Relations for Ontario that are on file in the office of the Manager of the Cemetery. The prices for Interment Rights include the applicable portion for deposit to the Cemetery's Care and Maintenance Fund.

Rates

3. The Tariff of Charges is set annually and normally comes into effect on January 1. No charges shall be made that are not covered in the Tariff of Charges.

Payments

4. All cheques, money orders, etc. should be made out to Hamilton Municipal Cemeteries and must accompany the signed contract.

Contracts

5. All contracts must be signed by the purchaser and the Manager or their duly authorized representative.

Procedure to Purchase

6. Interment Rights for lots and graves shall be deemed to be sold or reserved from sale when such sale or reservation is reported at the Cemetery Office. All Interment Rights must be purchased at the Cemetery Office and the Purchaser or their representative is to be shown the lot or grave that they have purchased the Rights to, and pay all charges that are incurred at the Cemetery Office.

Singles in a Row

7. Single graves in a row may be secured in the sections designated for that purpose at the prices laid down in the Tariff of Charges, and there shall be no choice of location, as the graves will be filled in regular order. Single graves in a row shall not be sold to be reserved for future interment.

Preferred Singles

8. Preferred single graves may be purchased in advance of need.

On Hold

9. Hamilton Municipal Cemeteries will hold preferred single graves and lots for three months without any payment unless the three month period enters a new Tariff of Charges period.

Care & Maintenance Formula

10. The deposit to the Care and Maintenance Fund shall be as specified in the regulation made under the Cemeteries Act, R.S.O., 1990 that came into effect April 1st, 1992.

    1. In the case of an in-ground grave for the burial of an adult, the greater of 40% of the selling price or $150.
    2. In the case of an in-ground grave for the burial of a child or of cremated remains, 40% of the selling price.
    3. In the case of a crypt in a mausoleum, the greater of 20% of the selling price or $500.
    4. In the case of a niche or compartment in a columbarium, the greater of 15% of the selling price or $100.

Income from Care & Maintenance

11. The income from the Care and Maintenance Fund shall be expended by the City in such a manner as will be most advantageous to the Interment Rights Holders as a whole. The City Council has the full power and authority to determine upon what property, for what purpose and in what manner the income from said Care and Maintenance Fund shall be expended for the care, reconstruction, repair and maintenance of all or any portion of the Cemeteries' grounds, and, it may also expend said income for attorney's fees and other costs necessary to the preservation of the legal rights of the City in connection with the Cemeteries.

Cemetery's Duty

12. The Corporation shall provide each Rights Holder at the time of sale with:
    1. a copy of the contract.
    2. a copy of the Cemetery By-laws
    3. upon payment in full, a Certificate of Interment Rights.

Purchaser's Rights

13. Purchasers of Interment Rights acquire only the right and privilege of burial of the dead and of constructing monuments or placing markers, subject to the Cemetery By-laws from time to time in force and approved by the Ministry of Consumer and Commercial Relations.

Interments

14. No Interment Rights will be granted onto a roadway or pathway unless the road or pathway is closed.

Transfers to Others

15. To ensure the correctness of records of ownership and interments, no transfer of any Interment Rights or any interest therein shall be binding upon the Corporation until notice is given in writing to the Manager of the Cemeteries, specifying the name and address of the proposed transferee and date of transfer, and such particulars have been entered in a register for that purpose. Upon receipt of such notice, and payment of a fee, the transfer shall be made.

Transfer by Heirs

16. Where a transfer of Interment Rights for a burial lot is made by the heirs or a representative of a deceased Rights Holder, proof by sworn declaration or otherwise that such heirs or representatives, have a right to convey shall be made to the satisfaction of the Manager of Cemeteries before such transfer shall be registered.

Repurchase Rights

17. An Interment Rights Holder may require, by written demand, the Cemetery to repurchase the rights at any time before they are used. The Cemetery shall repurchase the Rights within thirty days from the date that the request was received.

Repurchase Formula

18. The repurchase price of the Interment Rights, shall be the amount paid by the purchaser for the rights less the amount paid by the cemetery owner to the Care and Maintenance Fund. This also applies to all purchases or contracts that were made before this Act came into being.

Unknown Price

19. If the original selling price is unknown, the repurchase price shall be deemed to be $50.00 according to the Cemeteries Act, R.S.O., 1990.

Limit of Repurchase

20. In accordance with the Cemeteries Act, R.S.O., 1990, the Corporation is not required to repurchase the Interment Rights for more than four lots held by the same interment right holder in a twelve month period.

Time Limit to Repurchase

21. The Corporation after receiving such a demand, shall repurchase the Interment Rights within thirty days after receiving the demand.

No Refund

22. NO REFUND will be made for any lot if any Interment Rights have been exercised.

Cancellation Period

23. Any purchaser of supplies or services from The Corporation may cancel, by written notice to the Corporation, to the attention of the Manager, the contract to purchase at any time before the services or the supplies are provided. No supplies will be ordered or service supplied until the 30 day grace period has passed.

Cancellation Void

24. Section 23 does not apply if the supplies or services are provided within thirty days after the contract is made as a result of the death and interment of the person for whom the supplies or services were contracted.

Responsibility

25. Interment Rights Holders and pre-need Rights Holders are responsible to keep the cemetery office informed of any changes to the contract, especially address and telephone number.

Rights Abandoned

26. If any Interment Rights have not been used after a 20 year period has passed, they may be considered abandoned. The cemetery may apply to the Registrar of the Ministry for a declaration that the Interment Rights are abandoned after making inquiries and giving reasonable notices to find the Interment Rights Holders or beneficiaries. Upon being satisfied that the rights are abandoned, the Registrar shall issue a declaration to that effect. If there is not an appeal by the end of the time period allowed for appeal, the Cemetery may resell the lot in question.

Redress for Abandoned Rights

27. Any person whose Interment Rights have been resold after being declared abandoned may apply to the Registrar for redress. Upon receiving an application for redress, the Registrar shall order the Corporation to provide better or equivalent Interment Rights in that cemetery or to refund the amount that it would cost to purchase better or equivalent Interment Rights in the cemetery or if no Interment Rights are available in the cemetery, in the closest cemetery appropriate to the religious or ethnic affinities of the person whose Interment Rights have been resold.

D) Interments and Disinterments

Winter

1. Winter interment shall take place weather permitting.

Limits

2. Not more than two interments shall be made in any single grave except:
   1. in areas designated for single depth interment.
   2. the cremated remains of not more than 2 persons.
   3. in addition to a standard interment, the cremated remains of not more than 1 person.

Container Requirement

3. Remains to be buried in a lot or grave must be enclosed in a container, sealed securely, and of sufficient strength to permit burial with the container remaining intact. The container must be of a size to permit burial within the size of the lot.

Authorization

4. All interments must be authorized in writing by the Interment Rights Holder except the interment of the Interment Rights Holder.

Supervision

5. The Manager of the cemetery, their assistant or someone in the employ of the Corporation shall be in attendance at each interment.

Requirements for Interment

6. A burial permit issued by the Division Registrar, showing that the death has been registered, the fee for the opening of the lot or grave according to the fee found in the Tariff of Charges and a signed contract, must be deposited with the Manager of Cemeteries before interment can take place.

Requirements for Cremation Interment

7. In the case of a cremation interment, the cremation certificate and the prescribed fee for this service according to the Tariff of Charges plus a signed contract must be deposited with the Manager of Cemeteries.

Funeral Directors

8. Funeral Directors ordering graves will not be responsible for charges incurred, but must send the immediate family or person responsible for burial to the Cemetery office to arrange payment of all charges incurred before the burial takes place. If no family is available the Funeral Director is responsible for charges and signing of contracts.

Authorization

9. When Interment Rights in a lot/grave are held jointly by two or more persons, an order will be accepted from either or any of them or their authorized representatives, for interment in such part of the lot or grave as may be requested.

Opening Rights

10. No lot or niche shall be opened for interment or disinterment by any person not in the employ of, or under the direction of the Cemetery, except under special circumstances, and by permission of the Manager of Cemeteries.

Fee Includes

11. The interment fee includes the opening and closing of the lot, grave or niche and the registration of the burial.

Disinterments

12. No person shall remove human remains, except cremated remains from a cemetery unless a certificate of a Medical Officer of Health and the Manager of Cemeteries confirming that the Cemeteries Act and the regulations have been complied with is affixed to the container. A burial certificate under the Vital Statistics Act is not required to reinter human remains that have been disinterred according to the Cemeteries Act and regulations.

Responsibility

13. The Cemetery will exercise all due care in making burials and interments but is not responsible for damage to any casket, urn or other container sustained during disinterment.

No Interment

14. No interment shall be permitted in any lot, grave or niche where the burial rights have not been paid in full.

Funeral Routes

15. Funeral corteges within the cemetery shall follow the route indicated by the Manager or their Designate

Cemetery Rights

16. The Cemetery shall have the sole right to supply tents, lowering devices and grave dressings at all burials. Charges for the foregoing work will be made according to the rates laid down in the Tariff of Charges.

Correction

17. The Cemetery reserves the right, at its cost, to correct any error that may be made by it in making interments, in the description of the lot, or the transfer or conveyance of any Interment Rights. The Cemetery may either cancel such grant and substitute other Interment Rights, or lot of equal value and similar location, as far as is reasonably possible; or refund all money paid on account for such purchase. Notice will be given personally to the Rights Holders. If necessary, it may be mailed to the Rights Holders or their legal representatives, at their last appearing address in the record books of the Cemetery. In the event any such error may involve the disinterment of remains, the Cemetery shall first obtain the approval of any regulatory authority and the Interment Rights Holder.

Not Responsible

18. The Cemetery shall not be held responsible for any errors in any arrangements made over the phone. These arrangements shall be made in writing when the contract is signed.

Notice

19. Notice of each interment to be made shall be given to the Manager of the Cemetery at least 8 working hours in advance. The Cemetery cannot be held responsible for having graves prepared for funerals unless such notice is given.

Animal Burials

20. Bodies of any animals shall not be buried in the Hamilton Cemeteries.

Sunday & Holiday

21. The Cemetery will not do any Sunday or Statutory Holiday interments unless ordered to do so by a representative of the Ministry of Health.

Disaster Authority

22. In the event of a disaster which results in numerous interments in the Cemeteries, the Cemetery crew will work whatever hours are necessary as authorized by the Cemetery Manager. The Cemetery Manager has the authority to handle the numerous interments as orderly and as quickly as possible.

Delay in Interment

23. The Cemetery shall in no way be held liable for any delay in the interment of a body where a protest to the interment has been made, or where these By-laws have not been complied with; and further, the Cemetery reserves the right under such circumstances to place the body in a receiving vault until the full rights have been determined. The Cemetery shall be under no obligation to recognize any protests of interments unless they are made in writing and filed with the Cemetery Manager.

Additional Fees for Changes

24. If, for any reason, instructions concerning the location of the burial space to be opened are changed by the Funeral Director, Interment Rights Holder or their representatives after the digging has begun or been completed, they are responsible for the payment of applicable additional fees to the Cemetery. Such fees shall be paid before any work is done pursuant to the revised instructions.

Scattering

25. Scattering of Cremated Remains is not allowed in a Cemetery.

2 Remains

26. No more than two (2) Cremated Remains are to be interred in a Cremation Space.

Internal Dimensions

27. It is the responsibility of the Interment Rights Holder to check with the Cemetery as to the internal dimensions of Columbariums, Cremorials etc., so that urn or urns fit properly.

E) Care of Lots - General

Care By Employee

1. All lots and graves shall be maintained, kept properly graded, sodded, mown and flat markers and sunken graves levelled by employees of the Cemetery.

Not Include Watering

2. The care of lots does not include the watering of the grass and care of shrubs etc., as the Cemetery does not bind itself to expend a greater amount for such care than is received for that purpose.

Manager's Permission

3. No person shall do any work upon a burial lot without the permission of the Manager.

Bushes & Shrubs

4. Dwarf evergreen trees, shrubs, flowering or other plants may be cultivated only on the lots that are in designated sections of the Cemeteries, and only in such varieties that are in keeping with the general plan of the grounds and subject to the approval of the Manager. No trees or shrubs growing within any lot may be removed or altered without the consent of the Manager.

Restrictions

5. In designated sections, dwarf evergreen trees are permitted only on lots having a monument, and only one shall be planted on either side of the monument. All plantings must be approved by the Manager.

Height

6. The height of such shrubs and/or ornamental trees shall at no time exceed 2.44 meters (8 feet) above adjacent ground level.

Width

7. The diameter of such shrubs and/or ornamental trees at their widest point, including all foliage shall at no time exceed 45.72cm (18 inches), or obstruct adjacent lots.

Outside Contractors

8. Rights Holders desiring outside gardeners to do work on their lots must furnish the Manager with written authority for the same. Gardeners or florists or their employees shall not enter the Cemetery on Sunday for business purposes.

Notice

9. If any trees or shrubs situated in any lot shall have become by means of their roots or branches or in any other way, detrimental to the adjacent lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Cemetery may remove such trees, shrubs or parts thereof after 30 days notice to the Interment Rights Holder. If such item is detrimental to a burial, then no notice is required.

Glass

10. NO GLASS CONTAINERS of any kind are allowed in the cemetery at any time due to safety requirements.

Articles

11. Nails, wires, wooden crosses, articles of glass or pottery or any other material that create a hazard to workers and to visitors when neglected or broken are not allowed in the cemetery.

Landscape Borders

12. Borders of landscape rubberized variety, properly installed are allowed on Cemetery Property

Other Borders Removal of

13. All other fences and borders are disallowed because of safety and operational hazards.

Materials

14. Implements or materials used in doing any work within the cemetery shall be removed without delay and if this is not done, the Manager shall remove the same without recource by the owner or user thereof.

Change of Grade

15. No Interment Rights Holder shall change the grading of their lot, and in case of any such change, the Cemetery will restore the lot to its original grade at the expense of the Interment Rights Holder.

Moving Markers

16. No unauthorized person shall sod, move cornerposts or lot markers.

Control

17. All grading, burials, foundations, landscaping, disinterments, removals, improvements, settings and all care of lots shall be done or controlled by the Cemetery.

Corporation Not Responsible

18. The Corporation shall not be responsible for loss or damage to any articles left upon any lot or grave.

F) Care of Lots - Flowers

Right to Remove

1. The Cemetery reserves the right to remove all flowers, potted plants, wreaths and baskets of flowers when they become withered or unsightly, or when for any other reason such removals are in the best interest of the Cemetery.

Artificial Flowers

2. Artificial flowers are permitted from Nov. 1 to April 1, provided they are properly maintained and not detrimental to the general maintenance of the cemetery.

Hanging Baskets

3. Hanging flower baskets are allowed in the designated flower garden areas if properly maintained. The Cemetery will remove those that are not properly maintained .

Flower Beds

4. In designated sections only; flower beds not exceeding 45.72cm (18 inches) in width shall be permitted in front of the bases of monuments and markers, and where there is no monument or marker, can only be made by permission of, and under the supervision of the Manager. .

Receptacles for Flowers

5. Receptacles for cut flowers shall be placed below the surface of the lawn.

Unplanted Flower Beds

6. To preserve the orderly appearance in the cemetery, any flower bed of the previous year which has not been planted by June 15th, may be sodded by the Cemetery and the cost charged to the Interment Rights Holder.

Removal of Wanted Flowers

7. Flower beds shall be cleared of tender plants after the first frost of the autumn. Rights Holders desiring to take any plants away should do so before their removal becomes necessary.

Potted Plants

8. Potted plants must be in flowerbed area as close to the monument base or marker as practical.

Roses

9. Rose bushes are not permitted anywhere in the Cemeteries.

Wreaths

10. Artificial wreaths without glass or plastic covers are allowed to be placed on the lot after November 1, provided they are securely fastened to a stand and securely anchored to the ground.

Wreath Removal

11. To preserve the proper appearance of the grounds, and to allow spring cleanup, artificial wreaths must be removed before April 1st of each year, otherwise Cemetery authorities will remove them.

G) Monuments and Markers - General Information

Payments

1. No monument or other structure shall be erected or permitted on a lot until accrued charges have been paid in full.

Requirements

2. All installations of foundations and markers shall be arranged by the Rights Holder through the Cemetery Office subject to the conditions of these by-laws. Contracts are required to be signed and the fees paid according to the Tariff of Charges.

Inscriptions

3. No inscription shall be placed on any monument which is not in keeping with the dignity and decorum of the cemetery.

Permission

4. No monument, footstone, marker or memorial of any kind shall be placed, moved, altered or removed without permission from the Manager.

Requirements

5. No monument or marker will be delivered to the cemetery without the Request for Installation form containing the following information:
    1. The Interment Rights Holders name & address.
    2. Instructions for placement of the marker or monument.
    3. The dimensions in the case of a flat marker.
    4. In the case of a monument:
        1. The dimensions of the die, height, width, length.
        2. The dimensions of the base, height, width, length.
        3. The overall size of the monument.
        4. A description of the monument; colour and design.
        5. The appropriate amount for the Care & Maintenance Fund in relation to the size of the marker/monument as set out in the Cemeteries Act, R.S.O., 1990, must accompany the monument.

Care & Maintenance Fund

6. Every person installing a monument or marker in the cemetery shall pay the prescribed amount, as set out in the Cemeteries Act, to the Corporation's, Care and Maintenance Fund. The interest earned from this fund will be used to maintain the markers or monuments in a safe condition.

Formula

7. The amounts are as follows:
    1. For installing a flat marker measuring at least 1115.85 square centimeters (173 square inches), $50
    2. For installing an upright marker measuring 1.22 meters (4 feet) or less in height and 1.22 meters (4 feet) or less in length, including the base, $100
    3. For installing an upright marker measuring more than 1.22 meters (4 feet) in either height or length, including the base, $200

Safety

8. If a monument or marker in a cemetery presents a risk to public safety because it is unstable, the Cemetery shall do whatever is necessary by way of repairing, resetting or laying down the marker to remove the risk.

Bronze

9. The use of bronze is approved for doors and window grilles of mausoleums and other mausoleum fixtures and statuary, also for tablets when attached to granite flat markers.

H) Monuments

Definition

1. For the purpose of the regulations, a monument shall be understood to mean any permanent memorial projecting above ground level and on a base.

No Liability

2. The Cemetery will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to, any monument,or part thereof except where such damage or loss is due to its negligence.

Mower Wear

3. Minor scraping of the base portion of the upright monuments due to the turf mowing operation is considered by the Cemetery to be normal wear.

Control

4. The Cemetery reserves the right to determine the maximum size of monuments, their number and their location on each lot. They must not be of a size that it would interfere with any future interments.

Duplication

5. A monument should be designed with reference to its surroundings, consideration being given to the number, size and character of others near at hand. Interment Rights Holders are earnestly requested not to duplicate any design in the immediate vicinity of their lots.

Checking With Cemetery

6. After selecting a monument or headstone, Interment Rights Holders should not close the purchase until they have advised the Manager of the size, style and material, and found whether the rules will admit of its being erected or not. It often happens that a monument can not be erected because the lot is too small, or because there are trees or graves in the way, or because the lot is a restricted one, upon which no monument is allowed.

Composition

7. Interment Rights Holders, subject to the approval of the Manager, shall have the right to erect proper stones or monuments, but all such stones and monuments must be free from visible defects, as regards to their quality of endurance, nor shall any veneered marble monuments be erected, and no tablet or monument or other structure composed in whole or in part of wood or iron shall be placed upon any lot, but all headstones shall be made of granite or other durable material, and no artificial stone will be permitted to be used for the above purposes.

2 Grave

8. A 2 grave lot is allowed one upright monument, 2 footstones and 4 cornerposts. Due to the work involved to keep these level, the quantity allowed on a lot is restricted.

Overall Restriction

9. Except as herein otherwise specially provided, no monument or marker will be permitted covering a ground space of more than 10% of the total area of the lot or fraction of lot on which it is placed.

Single Grave

10. No upright monument is allowed upon a single grave unless in areas designated forsuch.

Size

11. The maximum size monument allowed on a double lot is:
Height 1.22 meters (4 feet) overall height (including base)
Maximum Base size 96.52cm (38 inches) by 35.56cm (14 inches)

Horizontal Force

12. All monuments must be able to withstand a minimum of 100 lbs. of horizontal force applied anywhere on the monument without toppling. This must be achieved in the dry mode (no caulking).

Thickness

13. The minimum thickness of a die shall be 20.50cm (8 inches). Should the monument exceed 122.92cm (48 inches) overall height, the die must be 25.40cm (10 inches).

Dowelling

14. All monuments with dies that are less than 20.32 cm (8 inches) thick must be dowelled to the base and able to withstand the 100 lbs. standard.

Dowel Composition

15. Dowels must be made of minimum 127 mm (1/2") non-corrosive material (preferably 300 series stainless steel) or bronze. The hole depth must be a minimum of 7.62cm (3 inches) deep and no more than 32 mm (1/8") larger in diameter than the diameter of the dowel.

Bases

16. The die stones must be installed on a granite base. The height of the base shall be minimum of 20.3 cm. (8 inches). The top surface of the base must be both wider and longer than the die in order to provide a minimum border of 7.6 cm. (3 inches) of the surface of the base exposed on all sides. Bottoms of the base shall be smooth sawn.

Width

17. The maximum width of a base is controlled by the width of the lot where it will be installed. No base shall be closer than 7.6 cm (3 inches) to the lot width side lines on which it is to be installed.

Vertical Joints

18. To ensure stability, no mausoleum, vault or monument shall have any uncovered vertical joints.

nscription Both Sides

19. Unless adjoining lots are owned, both sides of the stone cannot be used.

Alignment

20. Monuments must be placed at the center of the head end of the lot except where alignment with existing nearby monuments justifies another location. Approval of the location must be obtained from the Manager before a monument is set.

Pillow

21. No book or pillow markers shall be allowed in the cemetery.

Photographs

22. All photographs attached to any memorials or placed within the cemetery grounds shall be the sole responsibility of the owner.

Foundations

23. All foundations for monuments and markers shall be built by, or contracted to be built for, the Cemetery at the expense of the Interment Rights Holder.

Charges

24. The charges for the construction of foundations are set forth in the Tariff of Charges.

Season

25. No foundations may be constructed after November 15th in any year and before April 1st in the following year.

Composition

26. The foundation shall be built in the designated space and in the proper dimensions of the monument base. If incorrect dimensions have been given on the application form, signed by the Interment Rights Holder and/or the supplier, the foundation must be immediately removed and shall be rebuilt by the Cor-

poration at the expense of the Interment Rights Holder. Foundations will be not less than 1.52 meters (5 feet) deep and they will be set at the Manager's direction.

1. The required concrete mix for foundations will be:
   20.5 MPA
   75 mm slump
   20 mm aggregate
   5% +/-1% Air Entraining agent
   Trowel finish all edges.
2. The surface area shall be flush with the surrounding ground level and shall provide a level surface free of defects.
3. Foundations must be cured for a minimum of 48 hours before placing the monument.
4. The finished concrete shall be protected from wind, rain or sun during curing, by covering it completely with a piece of plywood having a minimum thickness of 1.27cm (1/2 inch).

I) Markers

Permits

1. An Interment Rights Holder can have an approved marker installed at the head of the grave AFTER providing the Manager with a marker permit and paying the fee listed in the Tariff of Charges

Season For Installation

2. Markers will be accepted for installation during regular working hours. If weather and ground conditions permit, installations will be made within 30 days after acceptance. Markers will not be accepted from any monument dealer for storage during the winter months.

Sizes

3. Markers or Footstones of granite are permitted with size and quantity restrictions according to the section of the cemetery and the regulations as per the size of lot in that section. Its placement must not interfere with future interments.

single in a row maximum	45.72cm x 60.96cm 18" x 24"
preferred single grave	45.72cm x 60.96cm 18" x 24" Only
two grave lot maximum	45.72cm x 60.96cm 18" x 24"
cremation lot	25.40cm x 30.48cm 10" x 12" Only
children's grave	25.40cm x 30.48cm 10" x 12" to 45.72cm x 35.56cm 18" x 14" depending on grave size

Set Level

4. Flat Markers are to be flat on top and set level with the ground so that a lawnmower can pass safely over them and shall be set by employees of the Cemetery, at the expense of the Interment Rights Holder, on payment of the fee provided in the Tariff of Charges.

Use of Bronze

5. The following applies to bronze markers when used as flat markers:

    1. The casting shall be true, free from blemishes and weakening defects and imperfections, and without any "sandlike" roughness.
    2. All bronze markers shall be cast with integral bosses on the back in locations specified by the cemetery; the bosses to be drilled or tapped to receive lugs of brass or bronze of 95mm (3/8") diameter and from 10.16cm to 15.24cm (4" to 6") in length. The necessary number of anchor lugs to be supplied by the dealer with each marker.
    3. Every bronze marker must be bolted through granite measuring 45.72cm x 60.96cm (18"x 24") and 10.16cm (4") in thickness.
    4. The bronze alloy in markers shall consist of approximately 85% copper, 5% tin, 5% zinc, 2% lead ; with all other elements not exceeding 3%.

Foot Marker

6. One marker may be placed at each grave in addition to the monument. The marker shall be placed at the end of the lot farthest from the monument and shall not exceed 45.72cm x 60.96cm 18" x 24"

Thickness

7. The minimum thickness for all flat markers including footstones is 10 cm (4 inches).

J) Rules for Monument Dealers, Contractors and Workers

Procedure
1. No monument or marker will be delivered to the cemetery without the proper documents. See Sections **G – 2 & 5** for description of documents.

Notice
2. Monument dealers must state on each order the date they wish foundations ready and must give at least fifteen working days notice before the work is required.

No Delivery
3. No monument or marker may be delivered to the cemetery until the foundation is completed and the contractor is ready to proceed with the work of erection.

Removal
4. No monument or marker mayl be removed without written permission from the Manager.

Worker's Compensation
5. All companies who do work in the Hamilton Municipal Cemeteries, shall have Worker's Compensation coverage for their workers as well as sufficient liability insurance.

Heavy Materials
6. Contractors, masons and stone-cutters shall lay planks on the lots and paths over which heavy materials are to be moved, in order to protect the surface from injury.

Variance
7. There shall not be a variance of more than 1.27cm (1/2 inch) in the size of the base required as stated on the work order and the size of the monument delivered.

Behaviour
8. The demeanour and behaviour of all workers employed by others in the cemetery, shall be subject to the control of the Manager.

Cessation of Work
9. Workers shall cease work, if in the immediate vicinity of a funeral, until the conclusion of the service.

Working Hours
10. All work must be done during regular cemetery hours, unless by special permission of the Manager.

Saturday Work
11. No work shall be commenced on Saturday that cannot be finished, including the litter and debris removed, by the hour of noon of that day.

Heavy Loads
12. Heavy loads shall not be permitted in the cemetery when the roads are in unfit condition.

Heavy Trucks
13. Heavy hauling trucks or commercial vehicles are not permitted within the cemetery grounds unless they have a cemetery business purpose.

Driving & Parking
14. No monument dealer shall park or drive on the grass unless otherwise directed to do so by the Manager or their Designate

Closure
15. The Cemetery Manager shall have the right to close a pathway or road at any time.

Clean-Up
16. All implements and materials used in the performance of any work shall be placed where the Manager may direct, and all rubbish and surplus earth shall be removed when, and to where, and in such manner as the Manager may order. Otherwise the obstructions will be removed, and the expense charged to the monument dealer.

Marker Setting

17. If a monument company desires to set a flat marker they must make written arrangements as to time of installation with the Manager as all work must be supervised by an employee of the Cemetery. The Monument dealer shall pay to the Cemetery the prescribed fee plus necessary taxes for supervising the monument company's people.

Canvassing

18. Canvassing for orders or distributing business cards in any of the Cemeteries is forbidden.

K) Columbarium Regulations

Rules
1. All the general rules and regulations of the Hamilton Municipal Cemeteries shall apply to the columbarium as far as the nature of the case permits.

Certificate
2. A proper Certificate of Cremation must accompany all cremains before inumment can take place.

Authorization
3. No inumment shall be made without the permission from the burial Rights Holder or a proper representative of the estate if the burial Rights Holder is deceased.

Work Done
4. Compartments will be opened only by employees of the Hamilton Municipal Cemeteries and sealed by them after an inurnment is made.

Two Max.
5. Each compartment is intended for two urns. An Interment Rights Holder should check internal dimensions before purchasing urns.

Registering
6. It is advisable that, the name of the person for whom inurnment is intended, be registered on the books of the Cemetery, so that no complications may arise when request for inurnment is made.

Payment
7. No inurnment shall be permitted until all payments due to the Cemetery have been made and a contract been signed.

Articles left
8. Flowers, wreaths and designs placed against or near any part of the Columbarium that are liable to stain or deface the structure, will be removed.

Glass
9. No glass vases or other breakable item should be placed around the columbarium.

Floral Designs
10. Flower designs made on wire frames shall have the wire covered to prevent staining or marking the granite.

Transfer
11. No transfer of burial rights to a columbarium shall be valid until approved by and recorded in the books of the Cemetery. A transfer fee will be charged according to the fees set out in the Tariff of Charges and according to the Cemeteries Act.

Urn Size
12. The number of cremated remains to be placed in each niche is determined by the urn size and niche dimensions and in accordance with the designated policy for each columbarium.

L) Mausoleum Regulations

Construction

1. No vault or mausoleum will be constructed unless a complete working plan with specifications is first submitted to the Cemetery Manager, and the costs recovered from the Interment Rights Holder.

Removal

2. Should the maintenance fund for a Private Vault become exhausted and further repairs become necessary, the Corporation may make application to the Minister of Health and to the Registrar to have the bodies removed from the vault and to reinter the same elsewhere in the cemetery and to take down and remove the structure. All claim to or in the land and vault by the former owners or owner, shall cease and be at an end upon such approval given.

One Casket

3. No more than one casket shall be placed in a crypt except in a crypt designated for more than one.

Extra Urn

4. The Cremated Remains of not more than one person can be placed in a crypt in addition to the casket, only under special circumstances and by permission of the Cemetery Manager.

M) Rules for Visitors

Cemetery Hours
1. Visitors are always welcome at the cemetery during the open hours, from 8:00 a.m. until sundown. They are asked to remember the respect due to the sacred grounds.

Office Hours
2. The Cemetery Office is open Monday through Friday from 8:30 a.m. to 4:30 p.m. unless a recognized Holiday falls within these times. The Cemetery Office is open during Saturdays of posted long weekends from 8:30 a.m. to 12:00 p.m.

Authorization
3. Employees of the Police Department and Hamilton Municipal Cemeteries, while on recognized duty, are allowed in the cemeteries, after the prescribed times.

Police Power
4. Hamilton Wentworth Police have the authority to remove anyone from the Cemetery whose presence is believed, by them or the Manager, not to be in the best interest of the Cemetery.

Preserve Order
5. The Manager and designated assistants are empowered and are required to preserve order and decorum in the cemetery.

Parades
6. No parades other than funeral processions shall be admitted to or be organized within the cemetery without permission of the Manager.

Children
7. Children under the age of twelve years are welcome in the Cemetery grounds when accompanied by an adult, who shall be responsible for their good conduct and shall see that they do not run over the lots or climb upon the monuments.

Speed Limits
8. Vehicles within the cemetery shall be driven at a rate of speed no greater than 25 km/h (15 mph) and shall not leave the avenues or park on the grass unless directed to do so by the Manager.

Entry
9. No person shall enter the cemeteries except through established gates or roadways.

Recreational Vehicles
10. No pleasure ATVs. (all terrain vehicles) or snowmobiles are allowed in the cemetery.

Bicycles
11. Bicycles shall be permitted on cemetery roadways, but shall not be ridden on grassed or planted areas.

Damages
12. Proprietors of vehicles and their drivers shall be held responsible for any damage done by them. They will be held liable to repair or replace the damaged property to its former state.

Firearms
13. Discharging of firearms, other than in regular volleys at burial services is prohibited in and around the cemetery.

Dogs
14. Dogs or other pets shall be allowed in the cemetery only if restrained by an appropriate leash and accompanied by their owner. Said owner is responsible to clean up any animal residue.

Consumption of Food
15. No persons shall consume food or refreshments on Interments Rights Holder's property, but may in open areas as long as no littering or damage occur.

Alcohol

16. No person shall bring or consume any alcoholic beverages on cemetery property.

Damage

17. Any person who, in the cemetery, damages or moves any tree, plant, marker, fence, structure or other thing usually erected, planted or placed in a cemetery is liable to the Corporation and any Interment Rights Holder who, as a result, incurs damage. The amount of damages shall be the amount required to restore the cemetery to the state that it was in before anything was damaged or moved by the person liable.

Flowers

18. No person shall pick or destroy flowers (wild or cultivated) growing in the Cemetery.

Complaints

19. Any complaints or requests by Interment Rights Holders or visitors should be made at the Cemetery Office in person or by telephone, and not to workers on the grounds. The Cemetery office is located at 777 York Boulevard. Telephone calls will be accepted during normal business hours at 546-4704.

Controversies

20. Controversies with workers or others on the grounds are to be avoided. Please bring concerns to the Cemetery Office.

Rubbish

21. Rubbish shall not be thrown on roadways, lots or walkways or any part of the grounds. Receptacles are provided at convenient points on the grounds for the deposit of weeds, decayed flowers, plants, etc.

Disturbing Peace

22. Any person disturbing the quiet and good order of the cemetery by noise or other improper conduct or who violates these by-laws, may be expelled from the grounds.

Articles Left

23. Any article which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or is unsightly or does not conform with the natural beauty or design of the cemetery, may be removed by the cemetery. An article removed will be held at the cemetery for collection. If not collected, it will be disposed of after 60 days.

Gratuities

24. No tips or gratuities are to be given to cemetery workers by visitors or Rights Holders, nor shall any be accepted by any cemetery worker.

Damage Beyond Control

25. The Cemetery shall take reasonable precautions to protect the Interment Rights Holder from loss or damage. The Cemetery shall have the right to hire security guards, but is under no legal obligation to do so.

Filming

26. No filming is allowed on the Cemetery grounds without permission of the Manager of Cemeteries. Commercial filming must be authorized by the procedure set by Parks & Recreation Committee.

1994 December 13

Appendix "C" as referred to in Section 4 of the FIRST Report of the Parks and Recreation Committee

HAMILTON MUNICIPAL

CEMETERIES

BUSINESS PLAN

TABLE OF CONTENTS

Business Plan Summary

Gladstone Philosophy *Page 1*
Mission Statement *Page 1*

1. Overview *Page 2*

a) Customer *Page 2*
b) Services *Page 2*
c) Goals and Objectives *Page 3*
d) Future Trends *Page 3*

2. Marketing Plan *Page 4*

a) Payment Plan System *Page 4*
b) Informational Brochure *Page 4*
c) Advertising *Page 4*
d) Increasing Revenue Options *Page 4*

3. Operation Changes *Page 5*

a) Computerization of Records *Page 5*
b) Addition of Office Staff *Page 5*
c) Replacement of Superintendent *Page 5*
d) Decrease in Classifications *Page 6*
e) Rewrite of Cemetery By-laws *Page 6*
f) Development of Seasonal Staff *Page 6*
g) Building of Crematorium *Page 6*
h) Conclusion *Page 7*

1994 December 13

Gladstone: Prime Minister of Great Britain

"Show me the manner in which any community cares for its dead and I will measure with mathematical exactness the tender sympathy of its people, their respect for the laws of the community and their loyalty to high ideals."

Mission Statement

Hamilton Municipal Cemeteries being the largest known municipal cemetery organization in Canada will strive to provide this community with a high quality of essential cemetery services and as a consequence of providing this level of service, will continue to be a leader in the municipal cemetery industry.

Hamilton Municipal Cemeteries is a division of the Public Works Department.

1. Overview

Hamilton Municipal Cemeteries has 15 cemeteries within the city limits that vary in size from a 1/2 acre to 140 acres. The Cemeteries conduct between 1200 and 1300 burials a year which is approximately 6 burials per day and maintain close to 700 acres of grounds. Hamilton Municipal Cemeteries are also governed by 2 sets of legislation; the Provincial "Cemetery Act" and the City of Hamilton By-laws.

a) Hamilton Municipal Cemeteries' Customers

Hamilton Municipal Cemeteries service all ethnics and religions. There are some ethnic and religious cemeteries in the Hamilton area but we have and will continue to service those who chose our services. Besides the citizens of the City, the Cemetery Division works closely with local and area funeral homes, crematoriums, lawn equipment companies, lawn care service companies, cemetery supply companies, florist industry, monument builders, memorials societies, Veteran's associations, as well as other cemeteries.

b) Hamilton Municipal Cemeteries Services

1. *Complete line of grave and lot sales both at need and preneed.*
2. *Complete line of burial services both at need and preneed.*
3. *Two types of cremation entombment.*
4. *Foundation and marker setting services.*
5. *Memorial plaques, benches and tree planting.*
6. *Flower planting services.*
7. *Complete care and maintenance of grounds.*
8. *Beautification of cemetery flower gardens.*
9. *Care and maintenance of buildings.*
10. *Care and maintenance of memorials in regards to satisfy.*

c) Goals and Objectives

Objective

To provide the required essential cemetery services and products that are competitive yet very customer-service oriented.

Goals

1. *To gradually reduce the subsidy to the Cemetery Division by*
   - *i) increasing revenues.*
   - *ii) reducing expenditures.*

2. *To offer similar or more alternatives than commercial cemeteries.*

3. *To have staff dedicated to customer service.*

d) Future Trends

1. *Why one cemetery is picked over the other.*

   - *a) Family already buried there.*
   - *b) Location of cemetery and its features.*
   - *c) Something has sparked the need.*
     - *i) Death of friend or relative.*
     - *ii) Media advertising.*
     - *iii) Direct contact or direct mail by company.*

2. *The market trend is shifting to cremation because of mass advertising. It is billed as an economical viable alternative, but if not carefully handled, it may not be. The public does not understand cremation, cremated remains or its disposition.*

3. *A majority of funeral homes in the City of Hamilton are owned by the profit cemeteries through a numbered company. These funeral homes carry brochures and video tapes of the profit cemeteries but no information regarding the municipal cemeteries. This gives the profit cemeteries an advantage to new sales. The funeral homes must also carry our brochures if they are provided with them.*

2. Marketing Plan

a) Payment Plan System

At present all charges for cemetery sales and service must be paid in full. We have a preneed system in place for burial charges only. These must be paid at 100% cost of the land. Services are rising and becoming a substantial one-time cost factor. For example, a two-grave lot for $1,867.15, the opening and closing of the grave for two people for $494.34 each total a one time cost of $2,855.83. Under the present system, we have to receive a cheque for the total mount. A payment plan system would allow a committed revenue to be paid monthly over a limited period of time (3-5 year maximum). Arrangements have been made with Terry Daw, Manager of Revenues to formalize a plan best suited to the Treasury Department's requirements. This type of revenue, if properly advertised, may bring an additional $10,000 of revenue a year.

b) Informational Brochure

The Cemetery Division should print an informational brochure to highlight:

1. *All cemeteries that it maintains.*
2. *All cemetery services.*
3. *Plus all options and goods that the division provides with an insert on the prices.*
4. *These brochures would be available at funeral homes, city hall, cemeteries and literature to mail out upon request.*

The estimated cost of developing and printing this brochure is $10,000.

c) Advertising

1. *To compliment the brochure, ads should be placed in various public places and publications with a notation that printed literature is available upon request for your personal reading.*

d) Increasing Revenue Options

New trends or products for sale can easily be inserted in the brochure as they become available. Examples would be wreath sales, single grave monuments and ultimately maybe a crematorium.

3. Operational Changes

a) Computerization of Records

At present, the Cemeteries have contracted a consultant to provide an RFP and a needs study. The results from the consultant confirm the need of computerization, marketing and payment plan system. The needs study also calls for a maintenance management system to compliment the computerization of the records. The study shows that there will be a net benefit of 2 million dollars over 5 years while the cost to implement including conversion would total 370 thousand dollars.

b) Additional Office Staff

The new Cemetery Act has added the responsibility of contractual signage to all financial transactions. This obligation has added 4 hours of administrative work a day. At present many administrative duties are not being performed until summer student help is hired. It is recommended the office be staffed with another staff member. The duties will be realigned in the following manner:

Administrative Coordinator	-	*All financial reporting and administrative duties to the Manager.*
Cemetery Support Clerk I	-	*All contractual signage and administrative duties, MSA payments.*
Cemetery Support Clerk II	-	*Administrative duties, reception and computer data inputting.*

The funding for the new position will come from the early retirement of a cemetery labourer. The qualified person from the deployment pool be found and placed in this position.

c) Elimination of the Superintendent

On December 31, 1994, the present Cemetery Superintendent will retire. This position will be eliminated with the distribution of work spread to the Manager, Administrative Co-ordinator and four foremen. The elimination of this position will result in a net budget reduction of $65,000 for 1995.

d) Decrease in Classifications

The recent job evaluation has left the division fractionalized to promote a more business and practical environment, there should be no more than two levels being lead hand and operator levels. This would resolve the union complications caused by the creation of these multi levels can create a more versatile working force.

e) Rewriting of Cemetery Bylaws

The Cemetery has had a Rules and Regulations booklet and a set of By-laws both of which are out of date. The Cemetery Act calls for one approved set of by-laws that the consumer must adhere to. The final draft which the Ministry of Consumer and Commercial Affairs, Cemetery Regulations, has approved is attached. This must be passed by the Parks and Recreation Committee.

f) Development of Seasonal Staff

The private sector has extreme cost advantage over the city cemeteries because they;

a) Do not have all the unionized levels of staffing.

b) Do not have to keep staff when its not necessary.

c) Use lower pay of labourers when they are needed. These lower pay labourers are students, manpower or their own seasonal staff who find alternate employment in the non-peak periods, for example, winter months.

More effort has to be made to reduce the full-time compliment and supplement with lower cost employment on a seasonal and at need basis.

g) Building of Crematorium

Cremation has been rising steadily since its introduction to Canada in 1901. The cemetery industry has seen it grow from to the point where it affects 30 percent of the deaths in Ontario to a high of 65 percent in British Columbia. If the cremation rate increases due to rising costs of traditional funeral and cemetery cost the Cemetery Division will see large losses in revenues in the coming years. The purchase of a crematorium or the building of a new one will result in securing the market share of this increasing trend in the death care industry.

h) Conclusion

The population statistics show a large increase in aged population coming to the 60 - 70 years of age bracket (baby boomers). With the death rate approximately 1 percent of the population, there will be a substantial increase in business in the next 20 years before we see a decline. The Cemetery Division should be ready for all aspects.

Appendix "D" as referred to in Section 4 of the FIRST Report of the Parks and Recreation Committee

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS – CEMETERIES DIVISION

SCHEDULE D

	1994						1995						
	Resident & Realty Taxpayers			Non-Residents			Resident & Realty Taxpayers			Non-Residents			% Increase
	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T	Total	Over 1994
BURIALS AND REMOVALS													
Opening and Closing													
– 6 ft Adult	462 00	32 34	494 34	562 00	39 34	601 34	471 00	32 97	503 97	565 00	39 55	604 55	2%
– 8 ft Adult	622 00	43 54	665 54	720 00	50 40	770 40	634 00	44 38	678 38	734 00	51 38	785 38	2%
– 6 ft Child – case up to 24"	75 00	5 25	80 25	90 00	6 30	96 30	76 00	5 32	81 32	92 00	6 44	98 44	1%
– case 25" to 42"	150 00	10 50	160 50	180 00	12 60	192 60	153 00	10 71	163 71	184 00	12 88	196 88	2%
– case 43" to 60"	220 00	15 40	235 40	264 00	18 48	282 48	224 00	15 68	239 68	269 00	18 83	287 83	2%
– case 61" to 72"	285 00	19 95	304 95	342 00	23 94	365 94	291 00	20 37	311 37	349 00	24 43	373 43	2%
– 8 ft Child – case up to 60"	255 00	17 85	272 85	306 00	21 42	327 42	260 00	18 20	278 20	312 00	21 84	333 84	2%
– case 61" to 72"	305 00	21 35	326 35	366 00	25 62	391 62	311 00	21 77	332 77	373 00	26 11	399 11	2%
– Cremation	150 00	10 50	160 50	180 00	12 60	192 60	153 00	10 71	163 71	184 00	12 88	196 88	2%
– Cremorial	55 00	3 85	58 85	66 00	4 62	70 62	56 00	3 92	59 92	67 00	4 69	71 69	2%
– Columbarium	98 00	6 86	104 86	118 00	8 26	126 26	100 00	7 00	107 00	120 00	8 40	128 40	2%
– Mansion of Memories (Stoney Creek)	380 00	26 60	406 60	456 00	31 92	487 92	388 00	27 16	415 16	465 00	32 55	497 55	2%
Lowering (Includes Opening, Removal, Lowering, Closing)													
– Adult – 6 ft to 8 ft – shell	1,784 00	124 88	1,908 88				1,820 00	127 40	1,947 40				2%
– Adult – 6 ft to 8 ft – concrete vault/crypt	1,485 00	103 95	1,588 95				1,515 00	106 05	1,621 05				2%
– Child – 6 ft to 8 ft – 5 to 10 years	633 00	44 31	677 31				646 00	45 22	691 22				2%
– Child – 6 ft to 8 ft – under 5 years	531 00	37 17	568 17				542 00	37 94	579 94				2%
Removals													
– Adult – Shell	1,624 00	113 68	1,737 68				1,656 00	115 92	1,771 92				2%
– Adult – Concrete vault or crypt	1,325 00	92 75	1,417 75				1,352 00	94 64	1,446 64				2%
– Child – Shell	561 00	39 27	600 27				572 00	40 04	612 04				2%
– Child – Concrete vault or crypt	459 00	32 13	491 13				468 00	32 76	500 76				2%
– Cremation	150 00	10 50	160 50				153 00	10 71	163 71				2%
FOUNDATIONS AND MARKERS													
– Foundation – pouring per square inch of surface area (6 feet deep)	0 94	0 07	1 01	1 15	0 08	1 23	0 96	0 07	1 03	1 17	0 08	1 26	2%

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS – CEMETERIES DIVISION

SCHEDULE D

	1994						1995						
	Resident & Realty Taxpayers			Non-Residents			Resident & Realty Taxpayers			Non-Residents			% Increase
	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T.	Total	Over 1994
FOUNDATIONS AND MARKERS													
– 12" X 10" & Child's 16" X 14"	75 00	5 25	80 25	90 00	6 30	96 30	75 00	5 25	80 25	92 00	6 44	98 44	0%
– all other Flat Markers	114 00	7 98	121 98	177 00	12 39	189 39	114 00	7 98	121 98	181 00	12 67	193 67	0%
– Bronze Vase	114 00	7 98	121 98	177 00	12 39	189 39	114 00	7 98	121 98	181 00	12 67	193 67	0%
– D V A Upright	96 00	6 72	102 72	96 00	6 72	102 72	96 00	6 72	102 72	98 00	6 86	104 86	0%
– D V A Flat	96 00	6 72	102 72	96 00	6 72	102 72	96 00	6 72	102 72	98 00	6 86	104 86	0%
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE													
– Adult Single Grave	455 00	31 85	486 85	562 00	39 34	601 34	464 00	32 48	496 48	573 00	40 11	613 11	2%
– Preferred Single Grave	761 00	53 27	814 27	940 00	65 80	1,005 80	776 00	54 32	830 32	959 00	67 13	1,026 13	2%
– Child – single in a row – case up to 24"	50 00	3 50	53 50	60 00	4 20	64 20	51 00	3 57	54 57	61 00	4 27	65 27	2%
– Child Single Grave – case 24" to 60"	109 00	7 63	116 63	142 00	9 94	151 94	111 00	7 77	118 77	145 00	10 15	155 15	2%
– case 61" to 72"	161 00	11 27	172 27	193 00	13 51	206 51	164 00	11 48	175 48	197 00	13 79	210 79	2%
– Urn Garden	253 00	17 71	270 71	308 00	21 56	329 56	258 00	18 06	276 06	314 00	21 98	335 98	2%
– Veteran's Grave	432 00	30 24	462 24				441 00	30 87	471 87				2%
– Two-Grave Lot	1,745 00	122 15	1,867 15	2,176 00	152 32	2,328 32	1,780 00	124 60	1,904 60	2,220 00	155 40	2,375 40	2%
– Two-Grave Lot – Eastlawn	1,424 00	99 68	1,523 68	1,779 00	124 53	1,903 53	1,452 00	101 64	1,553 64	1,815 00	127 05	1,942 05	2%
– Three-Grave Lot – Woodland	2,606 00	182 42	2,788 42	3,260 00	228 20	3,488 20	2,658 00	186 06	2,844 06	3,325 00	232 75	3,557 75	2%
– Four-Grave Lot – Woodland Section 15	6,311 00	441 77	6,752 77	7,884 00	551 88	8,435 88	6,437 00	450 59	6,887 59	8,042 00	562 94	8,604 94	2%
– Eastlawn / Woodland	3,416 00	239 12	3,655 12	4,344 00	304 08	4,648 08	3,484 00	243 88	3,727 88	4,431 00	310 17	4,741 17	2%
– Four-Grave Lot – Trinity	3,210 00	224 70	3,434 70	4,074 00	285 18	4,359 18	3,274 00	229 18	3,503 18	4,155 00	290 85	4,445 85	2%
– Mansion of Memories – Mausoleum crypt	1,216 00	85 12	1,301 12	1,336 00	93 52	1,429 52	1,240 00	86 80	1,326 80	1,363 00	95 41	1,458 41	2%
– Cremorial	800 00	56 00	856 00	960 00	67 20	1,027 20	816 00	57 12	873 12	979 00	68 53	1,047 53	2%
– Columbarium	950 00	66 50	1,016 50	1,140 00	79 80	1,219 80	969 00	67 83	1,036 83	1,163 00	81 41	1,244 41	2%

– 40% of Grave and Lot sales goes into Care & Maintenance

– 20% of Mausoleum Crypt sales goes into Care & Maintenance

– 15% of Columbarium and Cremorial sales goes into Care & Maintenance

SCHEDULE OF USER FEES AND OTHER REVENUES

SCHEDULE D

PUBLIC WORKS - CEMETERIES DIVISION

	1994						1995						
	Resident & Realty Taxpayers			Non Residents			Resident & Realty Taxpayers			Non - Residents			% Increase
	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T	Total	Cost	G S T	Total	Over 1994
ADDITIONAL SERVICES													
- Crypts - Child	272 00	19 04	291 04				not available						
- Youth	285 00	19 95	304 95				308 00	21 56	329 56				
- Standard	297 00	20 79	317 79				not available						
- Intermediate	305 00	21 35	326 35				330 00	23 10	353 10				
- Oversize	324 00	22 68	346 68				350 00	24 50	374 50				
- Miscellaneous													
- Tent in Cemetery	138 00	9 66	147 66				141 00	9 87	150 87				2%
- Rental of tent outside cemetery	188 00	13 16	201 16				192 00	13 44	205 44				2%
- Transfer fee $40 + G S T	40 00	2 80	42 80				41 00	2 87	43 87				3%
- Bronze Memorial Plaque for Columbarium Niche	281 00	19 67	300 67				287 00	20 09	307 09				2%
- Companion Vase on Columbarium Niche	55 00	3 85	58 85				56 00	3 92	59 92				2%
- Bronze Memorial Plaque for Cremorial	125 00	8 75	133 75				128 00	8 96	136 96				2%
- Supply install and maintain flower bed to maximum three graves - per grave	100 00	7 00	107 00				102 00	7 14	109 14				2%
- Memorial Tree Planting, 12X10 stone 6X8 Bronze Plaque 3 Lines	350 00	24 50	374 50				357 00	24 99	381 99				2%
- Memorial Bench - 8X5 Bronze plaque - 3 lines	500 00	35 00	535 00				510 00	35 70	545 70				2%
- Flower Pot Hanger	15 00	1 05	16 05				15 00	1 05	16 05				0%
- Family Tree Research - $2 00 per name													
Note Special Lettering which carrys an extra charge will be added to plaque charge													
Note 40 % of all lot and grave sales goes into Care & Maintenance Fund													
CARE AND MAINTENANCE FUND													
- markers and upright monuments													
- any flat marker under 173 sq in	N/C						N/C						
- any flat marker over 173 sq in	50 00	3 50	53 50				50 00	3 50	53 50				0%
- any upright monument < = 4 ft in length/height	100 00	7 00	107 00				100 00	7 00	107 00				0%
- any upright monument over > 4 ft in length/height	200 00	14 00	214 00				200 00	14 00	214 00				0%
Provincial Regulation - these funds are set and trusted													

Appendix "E" as referred to in Section 8 of the FIRST Report of the Parks and Recreation Committee

Red Hill Creek Valley Remediation Project
City of Hamilton Joint Management Position

The remediation proposal advanced to the City of Hamilton from the Honourable David Crombie and the Hamilton Region Conservation Authority offers promising opportunities for a partnership arrangement between agencies to advance environmental remediation works within the Red Hill Valley.

The proposal deals with initial Valley clean-up, initial trail and bridge access developments, biological and archaeological inventories, engineering design and pilot projects, public input forums and preliminary ground work establishing the feasibility of a World Biosphere Interpretive Centre.

The partnership agencies include the Waterfront Regeneration Trust, the Province of Ontario, the Hamilton Region Conservation Authority, the City of Hamilton and the public.

A joint management agreement between the City of Hamilton and the Hamilton Region Conservation Authority must be prepared to facilitate the partnership approach and permit work on City of Hamilton lands in the Red Hill Valley. The term of the agreement is two years.

The terms of the agreement will be advanced to the Parks and Recreation Committee and City Council and the Conservation Authority by 1995 January 31.

Recognizing the role of the City of Hamilton in the partnership approach to the remediation works and its vested interest as principle land owners in the Red Hill Valley, the following issues must be dealt with in the formulation of the joint management plan.

Joint Management Plan Issues

1) **Transportation**

The remediation works must in no way prejudice any alignment alternatives for the north/south portion of the Red Hill Creek Expressway. Impacts upon alignment alternatives could occur as a direct result of remediation work and expenditures within potential route alignments and from a public perspective that remediation works will preclude route alternatives.

Measures must be taken to clearly support that aspect of the proposal which indicates that the remediation work will not prejudice any potential road alignments.

2. Stakeholder Co-ordinating Committee

To give direction and to monitor project progress during the initial two-year period, it is suggested that a Stakeholders Committee be established comprising the key project partners i.e. the City of Hamilton, the Waterfront Regeneration Trust, the Province, the Hamilton Region Conservation Authority, the Regional Municipality of Hamilton-Wentworth, and one or more stakeholders representing the community at large. The stakeholder group would report directly to the full Authority Membership.

From the City's perspective it is essential that the Stakeholder Committee report through the Parks and Recreation Committee to City Council, in addition to the Conservation Authority. In this fashion, recommendations impacting upon the Red Hill Valley can be duly considered by Council.

3. Co-ordinating Agency Role

The Remediation proposal calls for the Conservation Authority to undertake the co-ordinating agency role for the remediation project. Recognizing that the project approach is one based upon partnerships, it is essential that one agency have a co-ordinating role. The Hamilton Region Conservation Authority can be seen as the logical agency for this role based upon their existing relationship in bridging Provincial and Municipal government levels.

4. Project Management

The proposed remediation works can be readily divided into categories which are best suited, based upon the abilities of both the Hamilton Region Conservation Authority and the City, to be undertaken be either agency.

Based upon the strengths of the City of Hamilton including capital equipment, staff, land ownership and proximity of works yards, the City's "hands on" category would include project areas that deal with the land base development and ongoing management. Specifically, trail development and maintenance, clean-up works, plantings, bio-engineering work and strong participation in the public input process are well suited to be undertaken by the City.

Development and management of the interpretive aspects of the project such as the biological and archaeological survey, interpretive world biosphere development and strong participation in the public input process are well suited to be undertaken by the Hamilton Region Conservation Authority.

The terms of the joint management agreement must clearly delineate the roles of both the City and the Hamilton Region Conservation Authority in order to successfully implement this two year project and to establish guidelines for the long-term.

5. **World Biosphere Interpretive Centre**

The proposal calls for the planning and conceptual development of a World Biosphere Centre to be located in the vicinity of the Red Hill Valley. The Scope of work involves site selection, market testing, business plan development, building design and tender call.

Considering the role that such a facility would play within this community, it is imperative that the City participate in the feasibility studies, site selection, facility role and management planning. The business plan development for this proposal will address the economic development/spin off and will also address any potential change in land ownership.

6. **Capital Funding Implications**

It is proposed that the capital funding for the remediation project would be advanced by the Province, possibly through the Waterfront Trust.

Mechanisms must be established which will facilitate capital funding flow through the co-ordinating agency to partnership members performing project tasks.

7. **Current Budget Implications**

The development of the remediation works proposed will have current budget impacts commencing with the completion of individual project components. Pedestrian bridge maintenance, trail maintenance and interpretive programming and biosphere centre operations will have significant current budget impacts.

Prior to the initiation of remediation works and hence commitments to maintenance costs, maintenance budget forecasts and funding mechanisms must be clearly understood at the Provincial, Municipal, and Regional levels. Staffing implications should be included in this component of the management agreement.

8. **Access Agreements**

Access agreements will be required to permit partnership agencies such as the Conservation Authority or others having component project stewardship, access to undertake work on City of Hamilton lands. Issues such as liability and insurance must be addressed.

9. **Land Ownership**

During previous discussions, there was some indication that remediation of the valley might require the land owned by the City of Hamilton to be deeded to the Province of Ontario for $1. This is no longer being considered. This proposal does not require the transfer of any lands out of the City of Hamilton's ownership.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SECOND** Report and respectfully recommends:

1. Given that the New Mum Show Sub-Committee will be unable to raise $150,000. by the end of 1995 January, that City Council be requested to approve a budget for a 1995 Mum Show as follows:

   (a) That the full cost of a moderate Mum Show estimated at $170,000. be considered for inclusion in the 1995 Current Budget; and,

   (b) That the New Mum Show Sub-Committee be authorized to continue fundraising indefinitely, having an objective of raising $50,000. as a minimum, by 1995 November 1 (this sum would be used to reduced the total from $170,000. to $120,000.); and,

   (c) That a charge of $2. per person be levied for entering the Mum Show, resulting in an estimated income of $40,000. to further reduce the required budget to $80,000.

   (d) That the Director of Public Works be authorized to immediately commence growing the mums required for a 1995 show at an estimated cost of $40,000.; and,

   (e) That the $40,000. funding required for Public Works staff to commence preparation for a 1995 Mum Show be funded from any surplus in the 1994 Public Works current budget or the Corporate Contingency Account; and,

   (f) That the New Mum Show Sub-Committee be directed to prepare and present a Business Plan - Marketing/Promotion Strategy, relative to the 1995 Mum Show production prior to the 1995 current budget deliberations.

(g) That staff be directed to consider a Traffic Island Planting Programme utilizing mums for the fall of 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Jackson. -10.

NAYS: Aldermen Drury, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -7. **CARRIED.**

Respectfully Submitted,

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

Kevin C. Christenson
Secretary

1994 December 13

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SECOND** Report and respectfully recommends:

1. (a) That approval be given to Application CD-94-001, Rental Housing Protection Act, Scott Cooper, owner, for conversion of 12 rental apartment units to condominium units for property located at 22-24-26 John Street North, subject to the following conditions:

   (i) that this Rental Housing Protection Act approval shall cease and be at an end:

   (1) if the Owner has sold the land without entering and registering the Rental Housing Protection Act Approval Agreement with the City; and,

   (2) in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton; and,

   (ii) that the Owner shall enter into a Rental Housing Protection Act Approval Agreement with the City in a form satisfactory to the Director of Local Planning and to the City Solicitor, incorporating the City's conditions of approval listed herein and register such Agreement on title to the subject property prior to the issuance of the Rental Housing Protection Act Certificate of Approval; and,

   (iii) in the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property enters into an assumption agreement to assume the obligations of the Owner herein.

   (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

2. A. (a) That approval be given to amended Zoning Application ZAC-93-26, 822827 Ontario Inc. (A. DiSilvestro), owner, requesting changes in zoning from "DE-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District (Blocks "1" and "4"); "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District (Blocks "2" and "3"); and, "DE-2" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District (Block "5"), to permit the development of Blocks "1", "2", "3" and "4" for small lot single-family detached dwellings and Block "5" for single-family detached dwellings, for lands located north of Limeridge Road East and west of Upper Kenilworth Avenue (proposed extension of Locheed Drive), as shown on the attached map marked as Appendix "A", on the following basis:

(i) That Blocks "1" and "4" be rezoned from "DE-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District; and,

(ii) That Blocks "2" and "3" be rezoned from "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District; and,

(iii) That Block "5" be rezoned from "DE-2" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District; and,

(iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59A for presentation to City Council; and,

(v) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and,

(vi) That the Lisgar Neighbourhood Plan be amended as follows: redesignate Blocks "1", "4" and "5" from "Low Density Apartments" to "Single & Double Residential"; and, redesignate Blocks "2" and "3" from "Medium Density Apartments" to "Single & Double Residential".

(b) That By-law No. 74-187 be amended to delete Clause 1 of Section 2, and the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-346a, and that the subject lands on Zoning District Map E-59A be notated S-346a and that the City Solicitor be directed to incorporate this change into the by-law prepared for recommendation A above; and,

(c) That Clause (c) of Section 2 of By-law No. 70-255 be amended to delete "403 dwelling units" and replace it with "326 dwelling units", and the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-166a, and that the subject lands on Zoning District Map E-59A be notated S-166a and that the City Solicitor be directed to incorporate this change into the by-law prepared for recommendation A above.

B. (a) That approval be given to the request by Mr. A. Cameracci of Urbex Engineering Limited on behalf of 822827 Ontario Inc. (A. Di Silvestro) owner, to further revise a part of the original draft plan approval for "Wisemount Estates" subdivision (formerly "Wisemount Forest Survey - Phase 3"), subject to the following additional conditions:

(i) That this approval apply to the plan, prepared by S.J. Balaban, O.L.S., dated 1994 July 22 showing forty-three (43) lots for single family detached dwellings, a block for low and medium density apartments and two blocks for road widening purposes; and,

(ii) That the owner satisfy all engineering and financial requirements of the City of Hamilton; and,

(iii) That the owner dedicate sufficient lands to the City of Hamilton for road widenings along Upper Kenilworth Avenue and Limeridge Road East; and,

(iv) That all roads be established to their ultimate widths of a minimum of 20.0 metres in width with the exception that Knight's Court may be 18.0 metres provided that detailed design accommodates all services and utilities to the satisfaction of the Commissioner of Transportation/Environmental Services; and,

(v) That the proposed roadway layout conform to the current roadway design requirements for the City of Hamilton and the Regional Municipality of Hamilton-Wentworth; and,

(vi) That all vehicular access to Block 44 be restricted to Limeridge Road East and/or Upper Kenilworth Avenue.

(b) That the Regional Commissioner of Planning and Development be advised of Council's decision.

3. (a) That approval be given to the request by Mr. Terry Stortz, of May, Pirie, Dakin Associates Limited on behalf of Valery Construction Ltd., owner, to give draft plan approval for the revised "Redhill Vista" subdivision to create within the City of Hamilton, 21 lots for single family homes fronting on Mud Street and Upper Mount Albion Road, and a Block for approximately 36 townhouse units, subject to the following conditions:

(i) That this approval apply to that portion located in the City of Hamilton of the draft plan signed by John P. Nouwens, O.L.S., dated 1993 December 14 showing 23 lots for single detached residential purposes, and one block for townhouse development, and further red-line revised to include an additional parcel of land in the south-east; and,

(ii) That the final plan conform with the zoning by-law approved under The Planning Act; and,

(iii) That the surveyor provide the City of Hamilton and Region with a certified list showing the lot frontage, lot areas and total area in both metric and imperial measure; and,

(iv) That the owner comply with the Development Standards to Control the Effects of Freeway Noise as adopted by the Council of the City of Hamilton on 1973 October 9, and subsequent amendments; and,

(v) That the owner dedicate to the Region/City of Hamilton, sufficient lands for road widening purposes in order to establish a cul-de-sac at the westerly limit of the subdivision with a 15 metre radius. The cul-de-sac is required to be offset to the south side of Mud Street; and,

(vi) That the owner submit a site grading plan to the Region for the complete subdivision for review and approval; and,

(vii) That Lots 1 to 19 (inclusive) not be registered until the watermain has been approved by the Region from Upper Mount Albion Road to Paramount Drive and that the associated costs be derived from the development charges; and,

(viii) That Lots 1 to 20 (inclusive) not be issued access permits or building permits until such time as Mud Street is realigned to the south and this section of Mud Street reverts to a local cul-de-sac under jurisdiction of the area municipality; and,

(ix) That the owner enter into an access agreement with the Regional Municipality of Hamilton–Wentworth for any roadway improvements required on Mud Street as a result of this development; and,

(x) That the owner grant easements to the Regional Municipality of Hamilton–Wentworth in order to provide outlets for storm and sanitary drainage purposes as required; and,

(xi) That the owner provide to the Region a detailed comprehensive storm water management report which will address the impacts of development of the subject lands on adjacent lands and the downstream watercourse. This report must be prepared by a Professional Engineer and other specialized experts as required, and will determine storm water management measures that are to be utilized in order to mitigate any negative impacts such as erosion, sedimentation, changes in run-off regime etc. required as a result of this subdivision development; and,

(xii) That the owner make a cash-in-lieu of parkland dedication payment to the City of Hamilton as provided for under Section 51 of the Planning Act; and,

(xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton; and,

(xiv) That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(b) That the Regional Commissioner of Planning and Development be advised of Council's decision.

4. (a) That the request of Mr. David A. Elliot, Solicitor for 800064 Ontario Inc. (A. DiSilvestro, President) owners, to establish maintenance easements by removing part-lot control from Lot 1, Lot 2, Lots 4-13, inclusive, Lots 19-28, inclusive, and Lots 30 and 31, "Claudette Gardens, Phase 5" plan of subdivision, 62M-760, be approved; and,

(b) That a by-law to remove part-lot control from Lot 1, Lot 2, Lots 4-13, inclusive, Lots 19-28, inclusive, and Lots 30 and 31, "Claudette Gardens, Phase 5" plan of subdivision, be enacted by Council; and,

(c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and,

(d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.

5. (a) That the City of Hamilton terminate the joint rehabilitation loan programme approved in 1986 with the Canadian Mental Health Association (C.M.H.A.). Funding for the programme was provided by the Ministry of Health to C.M.H.A., and was administered, at their request, by the Building Department; and,

(b) That the remaining funds of approximately $279,158. be returned to C.M.H.A. in order that they may implement a project with the Good Shepherd and further that on January 1, each year, the money collected on repayment be returned to C.M.H.A.

6. That By-Law No. 93-167 to authorize building permits and fees be amended by deleting Item 3 from Schedule "A" (Permit for re-shingling of roof for single family dwelling - $75.).

7. (a) That City Council reaffirm its endorsement of the proposed legislation regarding The Ontario Heritage Act; and,

(b) That a letter be sent to The Honourable Anne Swarbrick, Minister of Culture, Tourism and Recreation, urging the passing of this legislation, with copies being sent to the area M.P.P.'s.

8. (a) That approval be given to the "Intent to Designate" the CN Station at 360 James Street North (241 Stuart Street) as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto and marked as Appendix "B"; and,

(b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

9. (a) That a Heritage Permit be approved for exterior and interior alterations to the former Bank of Montreal building at 52 James Street South, based on plans submitted to the Local Architectural Conservation Advisory Committee on 1994 December 5, to accommodate the Monopoli Restaurant and Nightclub; and,

(b) That because of the proposed opening date of 1994 December 31, any further modifications to heritage features be subject to the approval of the Local Architectural Conservation Advisory Committee and/or the Research Sub-Committee.

10. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of nine hundred and sixty-one dollars ($961.) be approved for Mary Facca, 27 Mill Street. The interest rate will be 8 per cent amortized over 5 years.

11. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, three hundred and ninety-one dollars ($1,391.) be approved for Benito and Clara Capitanio, 200 Lynbrook Drive, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

12. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000.) be approved for Sills and Victoria Thomas, 313 Cranbrook Drive. The interest rate will be 8 per cent amortized over 5 years.

13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, four hundred dollars ($1,400.) be approved for Gladys Wilkinson, 76 Robins Avenue. The interest rate will be 8 per cent amortized over 5 years.

14. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars ($2,000.) be approved for Ann Larocque, 304 Vansitmart Avenue, The interest rate will be 8 per cent amortized over 5 years.

15. (a) That the Building Department, Loans Division, be directed to process a loan from the Community Heritage Trust Fund to John Jeffrey Steadman and MacNab Terrace Limited for 124 MacNab Street South, in the amount of four thousand, two hundred and sixty-two dollars ($4,262.) at 3 1/2 percent interest amortized over a ten year period with 5 year terms; and,

    (b) That the Building Department, Loans Division, be directed to process a Designated Property Grant to John Jeffrey Steadman and MacNab Terrace Limited, owner of 124 MacNab Street South, in the amount of four thousand and thirty-eight dollars ($4,038.).

16. (a) That the Building Department, Loans Division, be directed to process a loan from the Community Heritage Trust Fund to John Jeffrey Steadman for 126 MacNab Street South, in the amount of five thousand and eight-seven dollars ($5,087.) at 3 1/2 percent interest amortized over a ten year period with 5 year terms; and,

    (b) That the Building Department, Loans Division, be directed to process a Designated Property Grant to John Jeffrey Steadman, owner of 126 MacNab Street South, in the amount of four thousand, eight hundred and thirty-seven dollars ($4,837.).

17. (a) That the Building Department, Loans Division, be directed to process a loan from the Community Heritage Trust Fund to Keltie Lynn Law, in the amount of two thousand, seven hundred and eighty-nine dollars ($2,789.) at 3 1/2 percent interest amortized over a ten year period with 5 year terms; and,

(b) That the Building Department, Loans Division, be directed to process a Designated Property Grant to Keltie Lynn Law, owner of 112 Aberdeen Avenue, in the amount of two thousand, five hundred and ninety dollars ($2,590.).

18. That the Building Commissioner be authorized to issue a demolition permit for 452 Burlington Street East in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

19. That the Building Commissioner be authorized to issue a demolition permit for 574 Burlington Street East in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

20. That the Building Commissioner be authorized to issue a demolition permit for 192 Gage Avenue South in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

21. That the Building Commissioner be authorized to issue a demolition permit for 194 Gage Avenue South in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

22. That the Building Commissioner be authorized to issue a demolition permit for 196 Gage Avenue South in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

23. That the Building Commissioner be authorized to issue a demolition permit for 52 Holly Avenue in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

24. That the Building Commissioner be authorized to issue a demolition permit for 537 Wentworth Street North in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

25. That the Building Commissioner be authorized to issue a demolition permit for 98 Ward Avenue.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Caplan. -2. **CARRIED.**

26. That a letter be sent to the Niagara Escarpment Commission and the Minister of the Environment to express Council's concerns respecting the unfair treatment received as a result of the Niagara Escarpment Commission's decision to not remove all of the lands in Development Control designated "Urban Areas" in the Niagara Escarpment Plan for the City of Hamilton. **AMENDED.**

27. That leave be granted to introduce the following Bills:

(a) Bill C-3 A By-law to adopt the International Village Community Improvement Plan

(b) Bill C-4 A By-law to adopt the Downtown Hamilton Community Improvement Plan

(c) Bill C-5 A By-law to Designate the land located at Municipal No. 130 (120) Bay Street South as a Property of Historical and Architectural Value and Interest

(d) Bill C-6 A By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 1367 Upper James Street

(e) Bill C-7 A By-law to remove land within the Claudette Gardens, Phase 5 Subdivision, Plan 62M-760 from Part Lot Control

(f) Bill C-8 A By-law to Amend Zoning By-law No. 6593 as amended by By-laws No. 82-53 and 83-54 respecting lands located at 337 and 363 Stone Church Road East

(g) Bill C-9 A By-law to Amend Zoning By-law No. 6593 respecting lands located south of Towercrest Drive between Upper Wellington Street and Colin Crescent

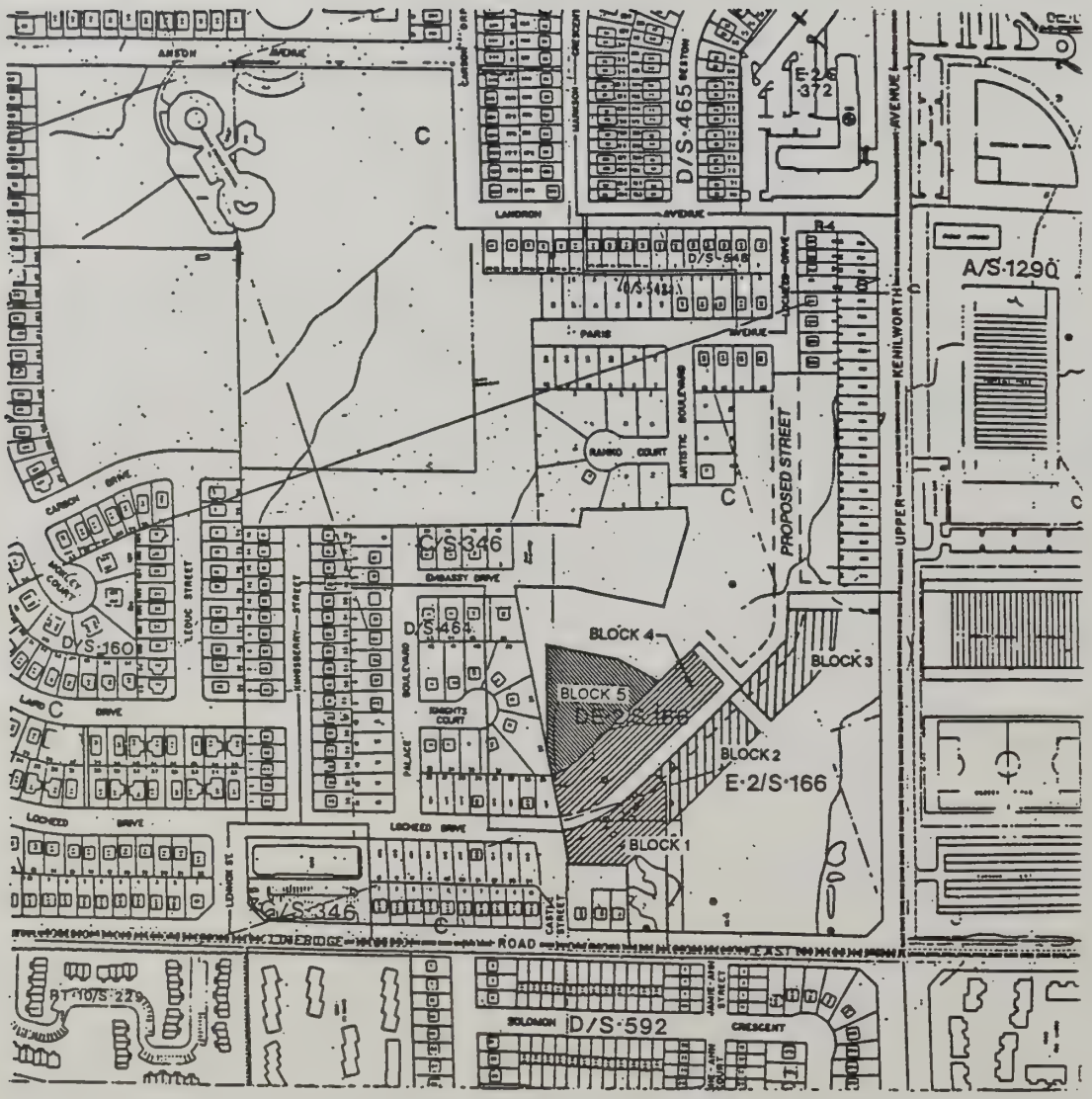
RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE

Charlene Touzel
Secretary

1994 December 7

Appendix "A" as referred to in Section 2 A. (a) of the SECOND Report of the Planning and Development Committee



LEGEND

Proposed Changes in Zoning From:

BLOCKS 1 and 4		"DE-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District.
BLOCKS 2 and 3		"E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District.
BLOCK 5		"DE-2" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District.

AMENDED ZAC-93-26

1994 December 13

Appendix "B" as referred to in Section 8(a) of the SECOND Report of the Planning and Development Committee

REASONS FOR DESIGNATION

Canadian National Railway Station (CN)
360 James Street North (241 Stuart Street)

Context

Erected in 1929–31 along Hamilton's oldest rail corridor, the grand CN Station occupies a prominent site at the north–east corner of James and Murray. It effectively anchors the northern edge of the historic James North business district and provides convenient access to the North End residential neighbourhood and west harbourfront via the two contemporary road bridges flanking the station complex. One block to the west on Stuart Street overlooking the CN corridor and waterfront stands another city landmark: the 1850s stone Custom House.

The high visibility of the CN Station stems from the open space surrounding it on all four sides: notably, the original grass–covered plaza in front, which provides an unobstructed view of its impressive Beaux Arts facade. The monumental Doric portico boldly expresses the station's gateway function as a link between cities.

History

The predecessor of the CN Station, built in 1875 for the Great Western Railway and located west of Bay Street, was acquired by the Canadian National Railways in 1923. The construction of the James North station complex and five new bridges over the lowered tracks was initiated to replace the inadequate existing facilities and also to provide a more convenient terminal with improved traffic circulation and freight/ passenger services. Erected during a deep financial depression just as rail freight and passenger traffic was beginning a serious decline, Hamilton's long–awaited new facility rose as a symbol of CNR's early prosperity and optimism. The year of its completion, Canadian National's principal rival, the Toronto, Hamilton and Buffalo Railway, commenced construction of an equally impressive terminal and headquarters building south of the downtown core on Hunter Street East. Increasingly underutilized in recent years, the CN Station continued to serve as a passenger terminal for VIA Rail until 1992 and for GO Transit until 1993, when the building was finally closed. The GO trains, however, continue to use this stop while extensive renovations are in progress to convert the former TH&B Station to the new Hamilton GO Centre, scheduled to open in 1995.

Architecture

The CN complex consists of three main masses: the two–storey station with two lower levels opening onto the south embankment of the rail cut, the concourse extending from the rear of the main floor lobby out over the tracks, and the one–storey express building on the east side at track level. Designed by CNR architect, John Schofield, the Hamilton station represents a relatively late example of Beaux Arts Classicism, distinguished by its restrained elegance. A strong stylistic precedent for the design of major Canadian railway stations in this style was established by Ottawa's Union Station of 1908–10 followed by Toronto's Union Station,

designed in 1913–14 and completed in 1920. Characteristic of the best Beaux–Arts stations, the imposing architectural treatment of both the exterior and interior public areas of the Hamilton terminal is skilfully integrated with a clear axial plan, which accommodates equally well the passenger and operational functions. The main floor was designed for smooth traffic flow from the entrance lobby to the concourse, with services located in the lateral axes. The concourse set at right angles to the main station provided easy access to the trains by means of six stairways (including three ramps on the east side) running parallel to the passenger platforms.

Typical of Beaux–Arts buildings erected in Canada during the early twentieth century, the CN Station displays classically–inspired detailing and rich materials fused with contemporary Canadian motifs. The symmetrical two–storey facade, clad in Queenston limestone, is dominated by a central entrance portico with four massive Doric columns supporting an entablature and pediment. Above the three doorways are ornamental bronze grilles and bas relief stone panels depicting transportation scenes across Canada, carved by Hamilton artist William Oosterhoff. The intermediate wings display incised panels with stylized images of the various modes of transportation while the projecting end pavilions echo the classical treatment of the portico. The two pedimented doorways are flanked by pairs of pilasters supporting an entablature, which encircles the building.

Visitors are drawn by a strong visual axis through the main entrance lobby to the concourse. The stately grandeur of the lobby, featuring a terrazzo floor, marble wainscoting, Ionic half–columns and pilasters, a coffered ceiling, large skylights, bronze grillework and two bronze lanterns, contrasts with the modern simplicity of the concourse: practical glazed brick on the lower walls, exposed steel trusses, unobstructed floor space, and an abundance of direct natural light.

Along with the former Bank of Montreal (1928–9) and the former Hamilton Public Library (1913), the CN Station is one of Hamilton's finest surviving Beaux–Arts Classical buildings. As one of Schofield's most successful station designs, it ranks among Canada's most distinguished early 20th century railway stations of comparable size and has been recognized accordingly through designation under the Federal Heritage Railway Stations Protection Act.

Designated Features

Important to the preservation of the CN Station are:

1. the original features of all four facades of the main building and attached concourse, including the limestone and brick masonry walls; original windows and doors (some of which, including the front entrance doors have been replaced); the pedimented portico; the ornamental stone and bronze work; and the two remaining ramp and stair wells at the north end of the concourse.

2. the original features of the main floor lobby areas (main, ante and check lobbies) and ramp, including the terrazzo flooring, decorative coffered ceilings, marble wainscoting, classical columns and motifs, ornamental bronzework; and the undivided open space of the concourse, with its glazed brick, large windows and visible roof trusses.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIRST** Report and respectfully recommends:

1. That as referred to in Section 65 of the First Report of the Transport and Environment Committee, the City's share of Services for "Land Severance Applications H-46 to 49-94" at a cost of $2,635. and for "Beaverton Estates" at an additional cost of $45,000. to a total of $47,635. be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

2. That Realty and Business Tax Applications processed under Section 443 of the Municipal Act, Chapter 45 Statutes of Ontario, 1990 in the amount of $152,670.34 be approved and charged to CH53307-24104 Tax Remissions.

3. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Author-ized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
(a) 708641003	Barrier Free Design Access-Various Recreation Buildings	$100,000.	$99,843.58	$156.42	Capital Levy
(b) 319341010	125 Barton Street West - Replace Heating System	125,000.	46,772.59	78,227.41	Reserve for Capital Projects
(c) 319441006	Scott Park Arena - Replace Rink Boards	90,000.	89,977.83	22.17	Capital Levy
TOTAL				$78,406.	

4. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 November 30, attached herewith and marked Appendix "A", be approved.

5. That the amendment to the United Brotherhood of Carpenters and Joiners of America, Local 18, contract, attached herewith and marked Appendix "B", be received pursuant to the Fair Wage Policy of the City of Hamilton.

6. That the 1995 Invoice for $97,240. (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

7. That a purchase order be issued to Sheridan Equipment Ltd., Mississauga, in the amount of $112,164., including all applicable taxes and trade-ins, for the replacement of one (1) Detachable, Loader Mount Snowblower for Fleet Services, being the lowest acceptable of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.

8. That the positions of Senior Parking Violations Clerk, Junior Parking Violations Clerk and Parking Violations Processing Clerk be transferred from the City of Hamilton Treasury Department to the City of Hamilton Traffic Department effective 1995 January 1.

9. That the City of Hamilton adopt the following policy with respect to the charging of interest on outstanding accounts billed through the accounts receivable system:

   (a) That all outstanding accounts for taxes applicable to tenants occupying City owned properties be charged interest in accordance with the provisions of tax levy by-law 71-69; and,

   (b) That Government bodies be exempt from the charging of interest on overdue accounts; and,

   (c) That all other overdue accounts be charged interest at the prime rate of the Canadian Imperial Bank of Commerce plus 2% adjusted quarterly; and,

   (d) That the Treasurer be authorized to waive interest charges if the account is paid within 60 days of the invoice date to eliminate the administration of collecting small balances; and,

   (e) That the City continue to charge the interest rate outlined in existing agreements and that all future agreements contain the new policy; and,

   (f) That the Treasurer be authorized to write off small balances below $25. that prove to be uncollectible in accordance with the policy previously approved on business tax accounts.

10. That the City of Hamilton's Tax Collection Procedures be amended to include the following:

    (a) Realty Taxes:

    Implement a procedure whereby a listing of all properties with arrears in excess of two years be forwarded to all major financial institutions in the City of Hamilton; and,

    (b) Business Taxes:

    (i) Develop a system to match the City's accounts payables against outstanding business tax arrears and withhold payment pending negotiated settlement of the outstanding business taxes; and,

    (ii) Purchase a system from Creditel at an estimated cost of $1,200. per annum, which will provide staff with up to date and complete credit reports on the status of companies with business tax arrears; and,

    (iii) Provide formal training for staff in collection techniques which will increase the effectiveness of in-house collections; and,

    (iv) Advertise in the Hamilton Spectator requesting "Letters of Interest" for the on-site collection of outstanding business taxes from bailiffs licensed to operate in the Hamilton area.

11. (a) That the Treasurer be authorized to prepare and issue a Request for Proposal to provide employee benefit coverage to include Long Term Disability, Major Medical, Dental, Extended Health Care, Group Life and Dependent Life Insurance and Accidental Death and Dismemberment Insurance; and,

    (b) That the Request for Proposal be issued in conjunction with the Region's Request for Proposal for Benefit Plans; and,

    (c) That the Wyatt Co. be retained to prepare the Request for Proposal and assist in the analysis of the responses.

12. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

2415 Barton St. E.	256 Weir St. N.
398 Concession St.	48 Division St.
172 Julian Avenue	89 Garside Ave. S.
1935 Brampton St.	121 Huxley Ave. S.
155 Sunrise Dr.	124 Ottawa St. N.
99 Owen Place	111 MacNab St. S.
21 Crawford Dr.	244 James St. S.
2806 Barton St. E.	154 Catharine St. S.
265 East 17th St.	457 Wellington St. N.
920 Burlington St. E.	350 Ferguson Ave. N.
922 Burlington St. E.	69 Connaught Ave. N.
10 Leeds St.	185 Market St.
13 East Bend N.	40 East Ave. N.
15 East Bend N.	57 1/2 Breadalbane St.
27 Mons Ave.	135 Strachan St. E.
935 Barton St. E.	191 Market St.
15 Lincoln St.	72 Cheever St.
1249 Main St. E.	132 Robert St.

(b) That the Mayor and City Clerk be authorized to execute the authorizing by-law and extension agreements.

13. (a) That the vacant position of " Secretary- Taxation (CTR 132A) " in the Taxation area be declared redundant and deleted from the complement of the Treasury Department; and,

(b) That a position entitled " Assistant Collections Clerk/Taxation " be created and added to the complement of the Treasury Department; and,

(c) That this position be assigned a temporary rating and be subject to review by the Maintenance Committee after a 6 month period to establish final classification; and,

(d) That the Commissioner of Human Resources be authorized to post and fill the Assistant Collections Clerk/Taxation position.

14. (a) That staff be authorized to enter into negotiations with Bell Advanced Communications, to finalize the purchase price for automated parking infraction notice issuing devices and associated hardware, operating software, maintenance, installation, training and maintenance repair contracts; and,

(b) That staff be authorized to enter into negotiations with McDonald Systems and Consulting, and subject to demonstration of satisfactory operation on the City's computer network, to finalize the price of purchase of software for the processing of parking infraction notices, including installation, system maintenance and training; and,

(c) That staff be authorized to enter into negotiations with Paradigm Consulting Group Inc. to finalize the purchase price of point of sale and cashiering software and hardware including installation, system training and ongoing maintenance system; and,

(d) That a report be brought back to the Committee on the outcome of the parking infraction notice hardware and software purchase negotiations and to obtain final Committee approvals before proceeding.

15. (a) That the approved 1994 Grant for the Hamilton Firefighters Drum and Bugle Corps be increased to $5,580. from the original amount of $3,000. to offset the rental charges at the Hamilton Airport; and,

(b) That this additional amount totalling $2,580. be financed by a transfer of appropriation from Account CH 5A049 20016, Unallocated Grant Funds to account CH 5A084 20030, Fire Department Band.

16. That funds be allocated from the Reserve for Replacement of Mobile Equipment for the replacement of a G.M.C. Suburban Emergency Vehicle in 1995, in the total estimated cost of $29,000.

17. (a) That the contract between the City of Hamilton and Nova Quintech for the purchase of a Combination Fire Apparatus (Quint #1), approved by City Council on 1994 May 31, be amended to provide for progress payments and an option for the City of Hamilton to sell the proposed trade-in vehicle; and,

(b) (i) That a purchase order be issued to Nova Quintech, not to exceed $662,530. including all applicable taxes, for the supply and delivery of One (1) Combination Fire Apparatus (Quint #2) with a 65 foot, 3 section pre-piped Aerial Ladder and Class "A" Pumper Truck; and,

(ii) That this expenditure be financed through the Reserve for Replacement of Mobile Equipment Account No. CH 5X502 00101; and,

(iii) That One (1) Aerial Ladder Truck and Two (2) Triple Combination Pumpers be disposed of to offset the purchase price of the Combination Fire Apparatus (Quint #2); and,

(iv) That a contract be entered into satisfactory to the City Solicitor (Quint #2).

18. (a) That a purchase order be issued to Code 4 Fire & Rescue Inc., Mississauga, Ontario, in the amount of $214,623.81, including all applicable taxes, for the supply and delivery on One (1) Rescue Vehicle; and,

(b) That this expenditure be financed through the Reserve for Replacement of Mobile Equipment Account No. CH 5X502 00101; and,

(c) That a contract be entered into satisfactory to the City Solicitor.

19. That the City Treasurer be authorized to finance additional expenditures incurred for unexpected repairs to the City owned property known as the Balfour Estate, 654 Garth Street, in the amount of $10,996.82, from the Balfour Estate Trust Fund (CH 5X999 00404).

20. (a) That approval be given to issue a purchase order in the amount of $166,200. to Ark-Tech Contracting Ltd., of 250 Wilderness Dr. Ancaster, to provide monthly maintenance services for the electrical and lighting systems to the City buildings mentioned herein, this being the lowest tender received in accordance with specifications issued by the Treasury Department, Purchasing Division.

Preventative Maintenance of Electrical Equipment
Ark-Tech Contracting Ltd.

Location	Price Per Month For The Period Ending		
	1995	1996	1997
City Hall	$ 600.	$ 600.	$ 600.
Hamilton Conv. Centre	$ 400.	$ 400.	$ 400.
Library and Market	$ 350.	$ 350.	$ 350.
C.U.P.& Park Garage	$ 600.	$ 600.	$ 600.

Hamilton Place	$ 550.	$ 550.	$ 550.
Copps Coliseum	$ 500.	$ 500.	$ 550.
Total	$3,000.	$3,000.	$3,050.

Preventative Maintenance Of Lighting Equipment
Ark-Tech Contracting Ltd.

Location	Price Per Month For The Period Ending		
	1995	1996	1997
City Hall (Outside)	$ 300.	$ 300.	$ 300.
Library/Market	$ 950.	$ 950.	$ 950.
Outside Lighting	$ 350.	$ 350.	$ 350.
Total	$1,600.	$1,600.	$1,600.

(b) That contracts be entered into satisfactory to the City Solicitor.

21. (a) That an Offer to Purchase, duly executed by Michael Bonduro (In Trust for a Company to be Incorporated), on 1994 November 21, and scheduled to close on or before 1995 April 14, for the lands situated in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot 5, Concession 1, in the former Township of Barton, now in the City of Hamilton, and all Lots 8,9,10,11 and part of Lot 7, in the Beliot Survey Registered Plan No. 414, having a frontage of 62.91 metres (206.42 feet) more or less, comprising an area of 3,395.21 square metres (36,547 square feet) more or less, known municipally as 32 Lincoln Street, Hamilton, be approved and completed, and the funds derived from this sale of $100,000., less commission, be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

(b) That the required deposit cheque in the amount of $10,000. be held by the City Treasurer pending Council approval; and,

(c) That upon successful completion of this sale, a real estate commission of 5% on the $100,000. sale price be paid to Murray Van Der Marel of Marel Real Estate Inc., who acted in this matter; and,

(d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

22. (a) That the Mayor and City Clerk be authorized to execute documents in a form satisfactory to the City Solicitor to release the historically designated Bank of Montreal Building (at the Southwest corner of James & Main Streets, known as 52 James St. South) from the prior owner's covenant to the City, to redevelop the historic bank in conjunction with the construction of a highrise apartment tower (to be erected on the adjacent vacant parking lot,) to permit the bank building to be developed as a restaurant and club; and,

(b) That Deed Number 438826 C.D. (pages 2 & 3 of the Schedule) and an amending agreement 8852 setting out the development covenants and the City's right to re-acquire the Bank be amended by deleting the right to repurchase the former Bank of Montreal for not proceeding with the combined bank/apartment tower redevelopment; and,

(c) That Section 1 (c) (i) (ii) (iii) of the Twentieth Report for 1989 of the Transport and Environment Committee, approved by City Council on 1989 December 12 which authorized closing and leasing a portion of the City's alley to Wellesley Retirement Group Inc. for an underground portion of the proposed development, be rescinded; and,

(d) That the existing City Site Plan Agreement applicable to the Bank of Montreal and the adjacent parking lot be discharged as the approved time limit for the implementation of the site plan has expired.

23. (a) That one of the current high volume matrix (impact) printers be replaced with a used laser printer from IBM Canada Limited, Burlington (the lowest of 8 proposals), at the monthly cost, based on print volumes of $10,052. (upset limit) for 36 months commencing 1995 January 1 in accordance with their proposal dated 1994 November 15; and,

(b) That funding be provided from Account CH56605-26016 (Host Printing Equipment Rental).

24. (a) That the City resolve lien claims by Cipolla Services Ltd., 262178 Ontario Inc. c.o.b. Tesla Electric Company Ltd, and Serv-Alarm Service & Maintenance Company Limited, arising out of the computer renovation and relocation project at 71 Main Street West, on the following terms:

(i) That the City make payment to the lien claimants Cipolla Services Ltd., 262178 Ontario Inc. c.o.b. Tesla Electric Company Ltd, and Serv-Alarm Service & Maintenance Company Limited,of holdback amounts totalling $39,658.46, inclusive of all claims for damages, interest and costs; and,

(ii) That all Liens and Certificates of Action registered on the title of the City's lands at 71 Main Street West, by Cipolla Services Ltd., 262178 Ontario Inc. c.o.b. Tesla Electric Company Ltd, and Serv-Alarm Service & Maintenance Company Limited, be discharged; and,

(iii) That all Court Actions commenced against the City by Cipolla Services Ltd., 262178 Ontario Inc. c.o.b. Tesla Electric Company Ltd, and Serv-Alarm Service & Maintenance Company Limited, to enforce lien claims arising out of the computer renovation and relocation project at 71 Main Street West be dismissed without costs; and,

(b) That the holdback amounts be paid from Accounts CH 21406001 and CF 5200 329241002.

25. That outstanding business taxes in the amount of $352,155.64 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.

26. That outstanding Accounts Receivables totalling $16,227.35 be written off and charged to Account CH 15401 00001.

27. That in accordance with the provisions contained in Section 30 of the City's Procedural By-law 82-203 for Council to establish the day and hour for regular meetings of its Standing Committees, that the Finance and Administration Committee hold its regular meetings on the Tuesday's of the week prior to City Council meetings at 1:30 o'clock p.m.

28. That leave be granted to introduce the following Bills:

(a) D-2 A By-law to Authorize Central Utilities Plant Trigeneration Project and Additional Sidewalk Reconstruction Project.

(b) D-3 A By-law to Amend By-law No. 7530 - The Sick Leave By-law.

(c) D-4 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.

(d) D-5 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder
Secretary
1994 December 8

Appendix "A" referred to in Section 4 of the First Report of the Finance and Administration Committee.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Kevin Addison	I	Lead Hand (Cemetery) (D-15)	Public Works	Replacing Mr. J. Gibbs - promoted, Feb. 28/94	$36,416.64	Oct. 03/94
Ms. Ellen Arcas	I	Secretary Administration (10-D)	Fire	Replacing Ms. N. Rosehart - promoted, Oct. 17/94	$28,677.48 to $31,050.76	Oct. 17/94
Mr. Ivan Biljan	I	Lead Hand (Cemetary) (D-15)	Public Works	Replacing Mr. T. Thurston - promoted, July 18/94	$36,416.64	Oct. 03/94
Mr. Russell Bourque	I	Truck Driver/Labourer (D-13)	Public Works	Replacing Mr. D. Mazzocato - promoted, Sept. 12/94	$35,686.56	Oct. 04/94
Mr. Gary Burgess	I	Captain (C12-A)	Fire	Replacing Mr. J. Ricottone - retired, Oct. 30/93	$72,764.50	Oct. 23/94

Prepared November 30/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Elton Cooke	I	Yard Attendant (D-15)	Public Works	Replacing Mr. A. Berry - promoted Aug. 01/94 Mr. S. Gentile - retired, June 30/94	$36,416.64	Oct. 17/94
Ms. Colleen Cullen	I	Probationary Communications Operator (N1B)	Fire	Replacing Mr. S. Smith - resigned, May 14/94	$34, 234.08	Oct. 17/94
Mr. Michael Holmes	I	Lead Hand (Cemetary) (D-15)	Public Works	Replacing Mr. J. Bevan - retired, July 29/94	$36,416.64	Oct. 03/94
Mr. Mitchell Loik	I	Lead Hand (Cemetary) (D-15)	Public Works	Replacing Mr. W. Pitkeathy - retired, Dec. 31/93	$36,416.64	Oct. 03/94

Prepared November 30/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Danny Mazzocato	I	Street Sweeper/Flusher Operator (D-14)	Public Works	Replacing Mr. A. Rochead - returned to former position, July 25/94	$36,052.64	Sept. 12/94
Ms. Alison Nicholson	I	Client Service Executive (12)	H.E.C.F.I.	Replacing Ms. M. Lees - resigned, Oct. 14/94	$34,001.76 to $36,824.32	Oct. 17/94
Ms. Nancy Roschart	I	Secretary, Administration (10-E)	Fire	Replacing Ms. C. Cullen - promoted, Oct. 17/94	$28,864.84 to $31,684.12	Oct. 17/94
Mr. Nick Ruggiero	I	Lead Hand (Cemetary) (D-15)	Public Works	Replacing Mr. J. Willard - promoted, Sept. 06/94	$36,416.64	Oct. 03/94

Prepared November 30/94

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Earl Bogg	Zoning Examiner/Code Correlator	Building	Retired (Early)	39 years, 8 months	Sept. 30/94
Mr. Gary Hesson	Manager, Recreation Services	Culture & Recreation	Terminated	28 years	Sept. 12/94
Ms. Margaret Lees	Client Services Executive	H.E.C.F.I.	Resigned	5 years, 11 months	Oct. 14/94
Mr. Al Medeiros	Asphalt Raker	Public Works	Retired (Early)	9 years, 3 months	Sept. 30/94
Mr. Howard Murray	Parking Control Officer	Traffic	Resigned	2 years, 2 months	Oct. 01/94

Prepared November 30/94

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

United Brotherhood of Carpenters and Joiners of America, Local 18

Duration of Agreement - August 1, 1992 to April 30, 1995

JOURNEYMAN CARPENTER (Zone 1 Hamilton)

DATE	HRLY. WAGE RATE	VAC. PAY	PENS.	WELFARE	TOTAL WAGE PKG.
Nov. 1/94	$26.49	2.65	2.45	1.65	$33.24

CARPENTER APPRENTICE RATES

* PERCENTAGES BASED ON JOURNEYMAN RATE ON NOV. 1/94 OF $26.49

DATE	HRLY. WAGE RATE	VAC. PAY	PENS.	WELFARE	TOTAL WAGE PKG.
Nov. 1/94 (1st 6 mos.	10.60 40%)	1.06	2.45	1.65	15.76
Nov. 1/94 (2nd 6 mos.	13.25 50%)	1.33	2.45	1.65	18.68
Nov. 1/94 (2nd yr.	17.22 65%)	1.72	2.45	1.65	23.04
Nov. 1/94 (3rd yr.	19.87 75%)	1.99	2.45	1.65	25.96
Nov. 1/94 (4th yr.	22.52 85%)	2.25	2.45	1.65	28.87

prepared by M. Bikic, HRC

ACCO®

ACCOPRESS™

YELLOW	25070	JAUNE
*BLACK	25071	NOIR*
*BLUE	25072	BLEU*
RL. BLUE	25073	RL. BLEU
*GREY	25074	GRIS*
GREEN	25075	VERT
RUST	25078	ROUILLE
EX RED	25079	ROUGE

ACCO CANADA INC.
WILLOWDALE, ONTARIO

* INDICATES 75% RECYCLED 25% POST-CONSUMER FIBRE

*SIGNIFIE 75 % FIBRES RECYCLÉES, 25 % DÉCHETS DE CONSOMMATION

BALANCE OF PRODUCTS 25% RECYCLED

AUTRES PRODUITS: 25 % FIBRES RECYCLÉES

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